

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS COAL COUNCIL, et al., :
 :
 Plaintiffs, :
 :
 v. : Civil Action No. 00-0274 (JR)
 :
 BRUCE BABBITT, Secretary, U.S. :
 Department of the Interior, :
 :
 Defendant, :
 :
 and :
 :
 NATIONAL MINING ASSOCIATION, :
 :
 Intervenor-Defendant. :

FILED

MAY 22 2001

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

MEMORANDUM ORDER

The recent heated exchange between plaintiffs and
intervenor on the subject of whether or not NMA should have filed
a statement of material facts pursuant to Rule 56.1 or not,
whether the Court has granted plaintiffs' motion for leave to
file supplemental authority or not, whether the Court's own
previous order is "authority" or not, etc., betrays a startling
lack of sense of humor, or sense of proportion, or both,
especially since it appears to be agreed that the facts relevant
to this case are all in the administrative record. It is this
21st day of May, 2001,

ORDERED that NMA's Rule 56.1 statement is not
"rejected," that it will remain of record, and that it may remain
as "context" for NMA's arguments. And it is

(M)

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FURTHER ORDERED that the parties lighten up.



JAMES ROBERTSON
United States District Judge