



# United States District Court

District of Arizona

Notice of Orders or Judgments  
Fed. R. Civ. P. 77(d)  
Fed.R.Crim.P.49

07/25/03

Date:

Scott W Horngren  
101 SW Main

To:

#1800  
Portland, OR 97204

3:03-cv-00054

76

Re: Case Number:

Instrument Number:

If this transmission does not complete, it will be re-sent, up to three times. If a complete copy of this document is not received, please call the scanning clerk in Phoenix at (602)322-7206 or Tucson at (520)205-4223.

3

Number of pages including cover sheet:

\*\*\*\*\* IMPORTANT NOTICE! \*\*\*\*\*  
The District of Arizona hereby invites public comment on the 2003 proposed amendments to the Local Rules of Practice. To review and/or comment on the proposed amendments, access the court's website at [www.azd.uscourts.gov](http://www.azd.uscourts.gov) or contact the Clerk of Court. All comments are due NOT LATER THAN Friday, July 25, 2003.

FILED       LODGED  
 RECEIVED     COPY  
JUL 25 2003  
CLERK U.S. DISTRICT COURT  
DISTRICT OF ARIZONA  
BY *[Signature]* Z DEPUTY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

FOREST CONSERVATION  
COUNCIL,  
Plaintiff,  
vs.  
UNITED STATES FOREST  
SERVICE,  
Defendant,  
and  
NAVAJO COUNTY,  
APACHE COUNTY,  
CITY OF WINSLOW,  
SHOWLOW FIRE DISTRICT,  
and AMERICAN FOREST  
RESOURCE COUNCIL,  
Defendants-Intervenors.

No. CV-03-0054-PHX-FJM

**ORDER**

The court has before it plaintiff's motion for stay pending appeal (doc. 72), the federal defendant's response, and the defendant intervenors' response.

The motion appears to be *pro forma*, filed to satisfy the requirements of Rule 8(a)(1), Fed. R. App. P. This court gave very careful consideration to its order of July 9, 2003 and we deny the motion for stay pending appeal for the same reasons we denied injunctive relief. In summary, balancing the harm between the plaintiff and the defendants, the defendants will suffer a greater harm if a stay is granted than the plaintiff will suffer if the stay is denied. In

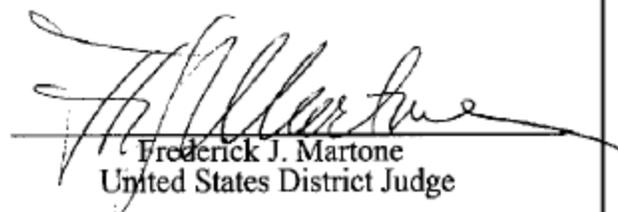
26

1 addition, the public interest is served by allowing the Forest Service to act as soon as possible  
2 on the tragedies that have befallen the forests of Arizona, and continue to this date. We are  
3 in a monsoon season and there are lightning induced fires every day.

4 IT IS THEREFORE ORDERED DENYING plaintiff's motion for stay pending appeal  
5 (doc. 72).

6 DATED this 25<sup>th</sup> day of July, 2003.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



Frederick J. Martone  
United States District Judge