

Mr. Thompson described the administrative appeals process and noted the May 29, 2012 deadline for submitting an administrative appeal of the Regional Forester's January 27, 2012 Record of Decision ("ROD") which approved Amendment No. 1 to the 2006 Land and Resource Management Plan for the Huron-Manistee National Forests. He stated that there were four administrative appeals filed to challenge the ROD: (1) Appeal # 12-13-00-1149 (Appellant Michigan Snowmobile Association), (2) Appeal # 12-13-00-1150 (Appellant David Miehke), (3) Appeal # 12-13-00-1151 (Appellant Kurt Meister), and (4) Appeal # 12-13-00-1152 (Appellant Michigan United Conservation Clubs). Thompson Decl. ¶ 3. Mr. Thompson identified the interested individuals and groups that would be asked to participate in the proposed mediation process. *Id.* ¶¶ 3-5. After discussions with each, the Forest Service was advised that none could commit to help pay the fees and expenses of the recommended Mediator (Hon. William F. Downes (Ret.)) and one organization, the Michigan United Conservation Clubs, was not even willing to participate in the proposed mediation process. *Id.* Given this, the Forest Service is unable to proceed in the proposed mediation process at this time. *Id.* ¶ 6.

Defendants suggest that the administrative appeals should now be decided and once that process is concluded, a further status report should be filed to report to the Court on the administrative appeals decision(s) and to explore the steps required to conclude this litigation.

Dated: August 9, 2012

Respectfully submitted,

BARBARA L. McQUADE
United States Attorney
Eastern District of Michigan
JUDITH E. LEVY (P-55882)

Assistant U.S. Attorney
judith.levy@usdoj.gov
211 W. Fort Street, Suite 2001
Detroit, Michigan 48226
Telephone: (313) 226-9727
Facsimile: (313) 226-3271

IGNACIA S. MORENO
Assistant Attorney General
Environment & Natural Resources Division
U.S. Department of Justice

/s/ Pamela S. West

PAMELA S. WEST, Trial Attorney
pamela.west@usdoj.gov
District of Columbia Bar # 444552
Maryland Bar # 200501240002
Ohio State Bar # 0011191
Natural Resources Section
Environment & Natural Resources Division
U.S. Department of Justice
601 D Street N.W., Room 3118
Washington, D.C. 20004
Telephone: (202) 305-0457
Facsimile: (202) 305-0506

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2012, I electronically filed the foregoing papers with the Clerk of Court using the ECF system which will send notification of such filing to the following:

Kurt J. Meister
kurtmeister@gmail.com
22581 Moorgate Street
Novi, Michigan 48374-3769
Telephone: (248) 347-4273

s/ Pamela S. West
PAMELA S. WEST, Trial Attorney
pamela.west@usdoj.gov
District of Columbia Bar # 444552
Maryland Bar # 200501240002
Ohio State Bar # 0011191
Natural Resources Section
Environment & Natural Resources Division
U.S. Department of Justice
601 D Street N.W., Room 3118
Washington, D.C. 20004
Telephone: (202) 305-0457
Facsimile: (202) 305-0506

ATTORNEY FOR DEFENDANTS