

DUSTON J. SLINKARD
Acting United States Attorney
MICHELLE A. JACOBS, KS S.Ct. No. 21261
Assistant U.S. Attorney
444 SE Quincy, Suite 290
Tele: (785) 295-2850
Fax: (785) 295-2853
Email: Michelle.Jacobs@usdoj.gov

JEAN E. WILLIAMS,
Acting Assistant Attorney General
Environment & Natural Resources Division
BRIDGET KENNEDY MCNEIL, CO Bar No. 34299
Senior Trial Attorney
Wildlife and Marine Resources Section
United States Department of Justice
999 18th Street, South Terrace, Suite 370
Denver, Colorado 80202-2413
Telephone: (303) 844-1484
Facsimile: (303) 844-1350
Bridget.McNeil@usdoj.gov

DAVID L. NEGRI, Trial Attorney, ID Bar No. 6697
Environment and Natural Resources Division
c/o U.S. Attorney's Office
1290 West Myrtle Street, Suite 500
Boise, Idaho 83702
(208) 334-1936
david.negri@usdoj.gov

Attorneys for Federal Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

AUDUBON OF KANSAS, INC.)
)
 Plaintiff,)
)
 v.)
)
 UNITED STATES DEPARTMENT)
 OF THE INTERIOR, *et al.*,)
)
 Defendants.)
)
)
)
)
)
)

CASE NO. 2:21-cv-02025-HLT-JPO
MOTION TO DISMISS

Pursuant to Fed. R. Civ. P. 16(b)(1) and (b)(6), Federal Defendants move this Court for an Order dismissing this case in its entirety based on a failure to establish jurisdiction and a failure to state claims upon which relief can be granted. The grounds for this motion are explained in Defendants' Memorandum in Support of Motion to Dismiss, filed contemporaneously with this Motion.

Respectfully submitted on April 12, 2021

JEAN E. WILLIAMS,
Acting Assistant Attorney General
Environment & Natural Resources Division
BRIDGET KENNEDY MCNEIL,
Senior Trial Attorney

/s/David L Negri
DAVID L. NEGRI, Trial Attorney
Environment and Natural Resources Division
c/o U.S. Attorney's Office
1290 West Myrtle Street, Suite 500
Boise, Idaho 83702
(208) 334-1936
david.negri@usdoj.gov