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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

ALLIANCE FOR THE WILD  
ROCKIES

Plaintiff,

vs.

UNITED STATES DEPARTMENT  
OF AGRICULTURE, et al.,

Defendants,

and

BILL MEYERS, individually,

Intervenor.

CV-11-76-M-CCL

**DECLARATION OF REBECCA K.  
SMITH IN SUPPORT OF  
PLAINTIFF'S MOTION TO  
COMPLETE AND/OR  
SUPPLEMENT THE  
ADMINISTRATIVE RECORD**

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Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am one of the attorneys for the Plaintiff in this case, and I make this declaration in support of Plaintiff's Motion To Complete and/or Supplement the Administrative Record. I make the statements in this declaration based upon my personal knowledge. I am competent to testify to the matters stated herein.
2. On November 21, 2011, I notified Federal Defendants by email message that Plaintiff believes multiple relevant documents are missing from the administrative record.
3. On December 19, 2011, counsel for Federal Defendants confirmed by email message to me that they agree to add the following documents to the administrative record materials for this case:
  - a. 60 Day Endangered Species Act (ESA) Notices of Intent To Sue for this case;
  - b. 2010 U.S. Fish and Wildlife Service Rule relisting the Yellowstone grizzly bear under the ESA;
  - c. 1975 U.S. Fish & Wildlife Service Rule listing the grizzly bear under the ESA;
  - d. U.S. Forest Service Gallatin National Forest Plan Final Environmental Impact Statement (EIS); and
  - e. U.S. Forest Service Final EIS and Record of Decision (ROD) for the

Forest Plan Amendment for the Greater Yellowstone Area National Forests regarding management direction for Yellowstone grizzly bears after their 2007 delisting.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 15, 2011.

/s/ Rebecca K. Smith

Rebecca K. Smith

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