

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

CENTER FOR BIOLOGICAL
DIVERSITY,

Plaintiff,

v.

S. M. R. JEWELL, in her official capacity
as, Secretary of the Interior, and THE
UNITED STATES FISH AND WILDLIFE
SERVICE,

Defendants.

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) No. 1:15-cv-00229
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**STIPULATED SETTLEMENT
AGREEMENT**

This Stipulated Settlement Agreement (“Agreement”) is entered into by and between Plaintiff Center for Biological Diversity (“Center”) and Defendants S. M. R. Jewell, in her official capacity as Secretary of the United States Department of the Interior; and the United States Fish and Wildlife Service (“Service”) (collectively, “Defendants”), who, by and through their undersigned counsel, state as follows:

WHEREAS, on April 20, 2010, the Center submitted a petition to the Service requesting that the Service list the yellow lance (*Elliptio lanceolata*), ashy darter (*Etheostoma cinereum*), sickle darter (*Percina williamsi*), candy darter (*Etheostoma osburni*), longhead darter (*Percina macrocephala*), frecklebelly madtom (*Noturus munitus*), and trispot darter (*Etheostoma trisella*), as threatened or endangered species pursuant to the Endangered Species Act, 16 U.S.C. §§ 1531-1544 (“ESA”);

WHEREAS, on January 10, 2011, the Center submitted a petition to the Service requesting that the Service list the Western glacier stonefly (*Zapada glacier*) as a threatened or endangered species pursuant to the ESA;