

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Nos. 98-5428, 98-5451 (consolidated)

PUEBLO OF SANDIA,

Plaintiff-Appellee

v.

BRUCE BABBITT, et al.,

Defendants-Appellants,

SANDIA MOUNTAIN COALITION and COUNTY OF BERNALILLO, NEW MEXICO,

Intervenor-Defendants-Appellants

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

**FEDERAL APPELLANTS' CERTIFICATE AS TO
PARTIES, RULINGS, AND RELATED CASES**

Pursuant to Rule 28(a)(1) of the Rules of this Court and this Court's Order of September 18, 1998, Bruce H. Babbitt, in his official capacity as Secretary of the Interior, and Dan Glickman,^{1/2} in his official capacity as Secretary of Agriculture (the "federal appellants"), hereby submit this certificate of parties, rulings, and related cases.

1. Parties and Amici. The plaintiff in the district court proceedings was the Pueblo

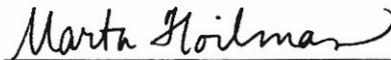
^{1/2}Pursuant to Fed. R. App. P. 43(c), Dan Glickman is hereby substituted for former Secretary of Agriculture Mike Espy.

of Sandia. The defendants were federal officers: Bruce H. Babbitt, Secretary of the Interior, and Mike Espy, Secretary of Agriculture.² The Sandia Mountain Coalition and the County of Bernalillo were granted intervenor status as co-defendants. The Sandia Peak Tram Company, Alvarado Realty Company, and Sandia Peak Ski Company jointly moved for leave to file a brief as *amici curiae*, but the district court's final judgment issued prior to any ruling on that motion.

2. Rulings Under Review. The rulings under review are the denial by the district court (the Honorable Harold H. Greene) of the federal defendants' motion to dismiss (Order and Opinion filed Dec. 10, 1996) and the district court's grant of summary judgment for the plaintiff and denial of the federal defendants' cross-motion for summary judgment (Order and Opinion filed July 20, 1998). Neither Opinion is reported in the Federal Supplement.

3. Related Cases. This case has not previously been before this Court or any other court, other than the district court. Counsel for the federal appellants are unaware of any related cases (apart from the consolidated appeal of the intervenor-defendants).

Respectfully submitted,



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90-2-4-1743

²See footnote 1, above.