

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:10-CV-476-D

NORTH CAROLINA WILDLIFE )  
FEDERATION, et al., )

Plaintiffs, )

v. )

NORTH CAROLINA )  
DEPARTMENT OF )  
TRANSPORTATION, et al., )

Defendants. )

**JUDGMENT**

**Decision by Court.** This action came before the Honorable James C. Dever III, Chief United States District Judge, for the consideration of plaintiffs' motion for summary judgment and defendants' motions for summary judgment.

**IT IS ORDERED, ADJUDGED AND DECREED** that plaintiffs North Carolina Wildlife Federation, Clean Air Carolina, and Yadkin Riverkeeper's motion for summary judgment is DENIED.

**IT IS ORDERED, ADJUDGED AND DECREED** that defendants Federal Highway Administration and John F. Sullivan's motion for summary judgment is GRANTED.

**IT IS ORDERED, ADJUDGED AND DECREED** that defendants North Carolina Department of Transportation and Eugene Conti's motion for summary judgment is GRANTED.

**This Judgment Filed and Entered on October 25, 2011, and Copies To:**

J. David Farren (via CM/ECF electronic notification)  
Kimberley Hunter (via CM/ECF electronic notification)  
Chandra T. Taylor (via CM/ECF electronic notification)  
Scott T. Slusser (via CM/ECF electronic notification)  
R.A. Renfer, Jr. (via CM/ECF electronic notification)  
Seth Morgan Wood (via CM/ECF electronic notification)

October 25, 2011

/s/ Dennis P. Iavarone  
Dennis P. Iavarone, Clerk of Court