

UNITED STATES OF AMERICA  
DEPARTMENT OF COMMERCE  
NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC ADMINISTRATION

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In re: ) Docket No. 19-NMFS-0001  
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**Proposed Waiver and Regulations Governing** ) RIN: 0648-BI58 and  
**the Taking of Eastern North Pacific Grey** ) RIN: 0648-XG584  
**Whales by the Makah Tribe** )  

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**ORDER GRANTING REQUEST TO CHANGE HEARING DATE**

On July 8, 2019, I granted a motion to continue the hearing in this matter until a date to be determined after consultation with the parties. Later that day, the Animal Welfare Institute (AWI), National Marine Fisheries Service (NMFS), Marine Mammal Commission (MMC), Peninsula Citizens for the Protection of Whales (PCPW), Sea Shepherd Legal and Sea Shepherd Conservation Society (Sea Shepherd), collectively referred to as the Stipulating Parties, filed an expedited motion to extend each of the remaining filing dates in this matter by four weeks. The motion states that the Makah Tribe, while not a stipulating party, does not oppose the request. The Stipulating Parties were unable to reach Ms. Inanna McCarty.

I find the Stipulating Parties' request reasonable. The filing deadlines will thus be as follows:


- August 6, 2019. Final date to submit direct testimony to rebut testimony previously submitted.
- August 6, 2019. Final date for submission of direct testimony on issues of fact not included in the notice of hearing (84 FR 13639).
- August 9, 2019. Final date to file any motions to exclude issues listed in the Final Hearing Agenda (84 FR 30088).
- August 16, 2019. Final date to file any motions to exclude based on any rebuttal evidence the parties submit.
- August 28, 2019. Final date for submission of rebuttal testimony to rebut direct testimony on issues of fact not included in the notice of hearing.

Consistent with the Final Hearing Agenda, the other parties to this proceeding will have ten days to respond to any such motions, and additional replies will be authorized only on a showing of good cause.

This order does not extend the filing date for any additional parties wishing to participate on the limited issue of the current Unusual Mortality Event occurring in the Eastern North Pacific gray whale population. *See* 84 FR 30088.

The dates herein may be further adjusted based on the dates ultimately selected for the hearing.

**IT IS SO ORDERED.**



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George J. Jordan  
Administrative Law Judge

Done and dated this 9th day of July, 2019, at  
Seattle, Washington.