

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

MIAMI WATERKEEPER, et al.,

Plaintiffs,

V.

U.S. ARMY CORPS OF ENGINEERS, et al.,

Defendants.

Civil Action No. 0:26-cv-62141-WPD

**EXPEDITED JOINT MOTION TO CONTINUE SCHEDULE
FOR PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION (ECF 13)**

Counsel for Plaintiffs and Defendants have met and conferred regarding Plaintiffs' motion for preliminary injunction (ECF 9) and they respectfully request that the Court continue the schedule for that motion (ECF 13), as explained below. The Parties request expedited consideration by August 11, 2026 under Local Rule 7.1(d)(2).

1. Plaintiffs' motion requests expedited consideration—by September 20, 2026—on the grounds that dredging for the Port Everglades Inlet Sand Bypass Project (“Project”) “is set to resume as early as September 20, 2026, according to the terms of the biological opinions.” ECF 9 at 1.
2. However, the U.S. Army Corps of Engineers (“Corps”) has decided to reinstate consultation with the National Marine Fisheries Service (“NMFS”) under Section 7(a)(2) of the Endangered Species Act (“ESA”), 16 U.S.C. § 1536(a)(2), on the Corps’ issuance of the permit to Broward County that authorizes the dredging at issue in Plaintiffs’ motion. *See* 50 C.F.R. § 402.16(a). *See* Declaration of Jeffrey L. Meyer ¶ 10 (attached hereto as Ex. A). The dredging activities covered by the Corps-issued permit will not be authorized to

occur while the agencies are engaged in the reinitiated consultation, and not until November 2026 at the earliest. *See id.* ¶ 12.

3. Given the above facts, and the fact that lead counsel for Defendants is currently away on leave and will not return to the office until August 11, 2026—the day before Defendants’ response to Plaintiffs’ motion is currently due—the parties agree and respectfully request that the Court continue the deadlines in the existing Scheduling Order (ECF 13) by two weeks, such that Defendants’ response to Plaintiffs’ motion will be due by August 26, 2026, Plaintiffs’ reply will be due by September 2, 2026, and the hearing on Plaintiffs’ motion will be set for Friday, September 4, 2026 at 11:00 AM, or at the Court’s earliest availability thereafter.
4. This modest continuance will allow time for the parties to confer further on the schedule or the need for further proceedings in this matter and to prepare any submissions to the Court.

WHEREFORE, the parties respectfully request that the Court continue the schedule as explained above. A proposed order granting this relief is attached below and will be emailed to Chambers.

Dated: August 10, 2026

Respectfully submitted,

/s/Tania Galloni

FL Bar # 619221

EARTHJUSTICE 4500 Biscayne Blvd., Ste 201

Miami, FL 33137 T: 305-440-5434

tgalloni@earthjustice.org

Danika Desai (pro hac vice forthcoming)

Andrea A. Treece (pro hac vice forthcoming)

EARTHJUSTICE 180 Steuart St. #194330 San
Francisco, CA 94105

T: 417-215-2000

ddesai@earthjustice.org

atreece@earthjustice.org

***Counsel for Plaintiffs Miami Waterkeeper,
Florida Wildlife Federation, and Diving
Equipment and Marketing Association***

/s/ Kristen A. Muir

FL Bar # 1071715

T: 352-432-0940 x472

Elise Pautler Bennett, FL Bar # 106573

T: 727-755-6950

CENTER FOR BIOLOGICAL DIVERSITY

P.O. Box 2155

St. Petersburg, FL 33731

amuir@biologicaldiversity.org

ebennett@biologicaldiversity.org

***Counsel for Plaintiff Center for Biological
Diversity***

ADAM R.F. GUSTAFSON

Principal Deputy Assistant Attorney General

U.S. Department of Justice

Environment & Natural Resources Division

MARK A. BROWN

Sr. Trial Attorney

U.S. Department of Justice

Wildlife & Marine Resources Section

Ben Franklin Station, P.O. Box 7611

Washington, D.C. 20044

Tel: (202) 532-3103

Email: mark.brown@usdoj.gov

JASON REDING QUINONES

UNITED STATES ATTORNEY

/s/ Carlos Raurell

Assistant U.S. Attorney

Florida Bar No. 529893

United States Attorney's Office

Southern District of Florida

99 NE 4th Street, Florida 33132

Telephone: (305) 961-9243

E-mail: carlos.raurell@usdoj.gov

Attorneys for Defendants

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	)	
Defendants.	)	
	)	

**[PROPOSED] ORDER GRANTING EXPEDITED JOINT MOTION TO CONTINUE
SCHEDULE FOR PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION (ECF
13)**

This matter is presently before the Court on the Parties' Joint Motion to Continue Schedule for Plaintiffs' Motion for Preliminary Injunction (ECF 13). The Court has considered the matter and is duly advised of the premises. It is hereby

ORDERED that the Motion is GRANTED. Defendants shall respond to Plaintiffs' Motion for Preliminary Injunction on or before August 26, 2026, Plaintiffs shall reply on or before September 2, 2026, and the hearing on Plaintiffs' Motion is set for _____, 2026.

DONE and ORDERED in Chambers, Fort Lauderdale, Florida, this ____ day of _____, 2026.

WILLIAM P. DIMITROULEAS
UNITED STATES DISTRICT JUDGE

Copies furnished counsel via CM/ECF