

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FLATHEAD-LOLO-BITTERROOT
CITIZEN TASK FORCE and
WILDEARTH GUARDIANS,

Plaintiffs,

vs.

STATE OF MONTANA,
LESLEY ROBINSON, and
GREG GIANFORTE,

Defendants.

CV 23–101–M–DWM

ORDER

Plaintiffs filed this lawsuit challenging regulations approved by the Montana Fish and Wildlife Commission (“Commission”) on August 17, 2023, which authorized a wolf trapping and snaring season in Montana beginning “the Monday after Thanksgiving through March 15, 2024.” (Doc. 33 at 1, 5.) On November 21, 2023, consistent with the Plaintiffs’ motion for a preliminary injunction, the Court enjoined the “wolf trapping and snaring season as authorized by the new rules,” except from January 1, 2024, to February 15, 2024, “when it is reasonably certain that almost all grizzly bears will be in dens.” (*Id.* at 1, 25.)

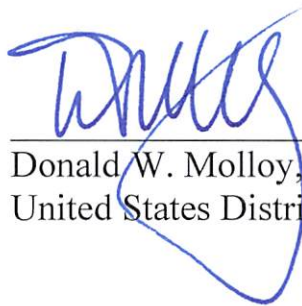
On March 19, 2024, Defendants filed an unopposed motion to modify the Court’s Preliminary Injunction Order to limit the Court’s injunction only to

“recreational” wolf trapping and snaring, which Defendant’s argue would “allow FWP and other management agencies to trap wolves for scientific and livestock conflict management purposes.” (Doc. 44 at 2.) That request is denied.

The Commission’s 2023 Wolf and Furbearer Trapping and Hunting regulations expressly state that they “do not apply to trapping that is regulated by Title 81 (Livestock), Montana Code Annotated.” (Doc. 6-10 at 7.) The regulations further state that “wolves may only be taken by hunting or trapping during the designated seasons.” (*Id.*) Montana’s 2023 wolf trapping and snaring season is now over. To the extent that Defendants have the authority to permit wolf trapping and snaring outside of the designated seasons for scientific purposes, that authority is unaffected by the Court’s injunction. Accordingly,

IT IS ORDERED that the motion (Doc. 44) is DENIED.

DATED this 25th day of March, 2024.



Donald W. Molloy, District Judge
United States District Court