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BACKCOUNTRY AGAINST DUMPS,
7 DONNA TISDALE, and JOE E. TISDALE

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10 IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

11 BACKCOUNTRY AGAINST DUMPS,
12 DONNA TISDALE, and JOE E. TISDALE,

13 Plaintiffs,

14 vs.

15 UNITED STATES BUREAU OF INDIAN
AFFAIRS, DARRYL LACOUNTE, in his
16 official capacity as Director of the United
States Bureau of Indian Affairs, AMY
17 DUTSCHKE, in her official capacity as
Regional Director of the Pacific Region of
18 the United States Bureau of Indian Affairs,
UNITED STATES DEPARTMENT OF THE
19 INTERIOR, DEBRA A. HAALAND, in her
official capacity as Secretary of the Interior,
20 and DARRYL LACOUNTE, in his official
capacity as Assistant Secretary of the Interior
21 for Indian Affairs,

22 Defendants, and

23 TERRA-GEN DEVELOPMENT
COMPANY, LLC,

24 Intervenor-Defendant.
25

) Civ. No. 3:20-cv-02343 JLS (DEB)

) **PLAINTIFFS' NOTICE OF
APPEAL FROM JUDGMENT OF
DISMISSAL AND ORDERS
OVERRULING PLAINTIFFS'
EVIDENTIARY OBJECTIONS,
DENYING PLAINTIFFS'
MOTION TO STRIKE, AND
DENYING AS MOOT
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

) Date: August 6, 2021

) Judge: Hon. Janis L. Sammartino

) Courtroom 4D

26 PLEASE TAKE NOTICE that Plaintiffs Backcountry Against Dumps, Inc., Donna
27 Tisdale, and Joe E. Tisdale hereby appeal to the United States Court of Appeals for the
28 Ninth Circuit, pursuant to 28 U.S.C. sections 1291 and 1292(a)(1) and Rule 3, Federal

1 Rules of Appellate Procedure, from the District Court’s Judgment of Dismissal and
2 Orders granting Campo Band of Diegueno Mission Indians’ Motion to Dismiss,
3 Overruling Plaintiffs’ Evidentiary Objections, Denying Plaintiffs’ Motion to Strike, and
4 Denying as Moot Plaintiffs’ Motion for Preliminary Injunction, filed August 6, 2021
5 (ECF Nos. 94 and 93).

6 Dated: August 12, 2021 Respectfully submitted,
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8 LAW OFFICES OF STEPHAN C. VOLKER
9 s/ Stephan C. Volker
10 STEPHAN C. VOLKER

11 **CERTIFICATE OF SERVICE**

12 I, Stephan C. Volker, am a citizen of the United States. I am over the age of 18
13 years and not a party to this action. My business address is the Law Offices of Stephan C.
14 Volker, 1633 University Avenue, Berkeley, California 94703.

15 On August 12, 2021 I served the following documents by electronic filing with the
16 Clerk of the Court using the CM/ECF system, which sends notification of such filing to
17 the email addresses registered in the above entitled action:

18 **PLAINTIFFS’ NOTICE OF APPEAL FROM JUDGMENT OF DISMISSAL AND**
19 **ORDERS OVERRULING PLAINTIFFS’ EVIDENTIARY OBJECTIONS,**
20 **DENYING PLAINTIFFS’ MOTION TO STRIKE, AND DENYING AS MOOT**
21 **PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

22 I declare under penalty of perjury that the foregoing is true and correct.

23 Dated: August 12, 2021 /s/ Stephan C. Volker
24 STEPHAN C. VOLKER