

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

DINE CITIZENS AGAINST RUINING
OUR ENVIRONMENT; SAN JUAN
CITIZENS ALLIANCE; SIERRA CLUB;
CENTER FOR BIOLOGICAL
DIVERSITY; AMIGOS BRAVOS,

Plaintiffs - Appellees,

v.

UNITED STATES OFFICE OF
SURFACE MINING RECLAMATION
AND ENFORCEMENT, an agency within
the U.S. Department of the Interior;
SALLY JEWELL, in her official capacity
as Secretary of the Interior; AL KLEIN, in
his official capacity as Regional Director of
the U.S. Offices of Surface Mining
Reclamation and Enforcement, Western
Region; BOB POSTLE, in his official
capacity as Manager of the Program
Support Division for the Western Region
of the Office of Surface Mining
Reclamation and Enforcement; RICK
WILLIAMSON, in his official capacity as
Manager of the Indian Programs Branch of
the Western Region of the Office of
Surface Mining Reclamation and
Enforcement; MYCHAL YELLOWMAN,
in his official capacity as Navajo Mine
Team Leader in the Office of Surface
Mining Reclamation and Enforcement,

Defendants - Appellants.

No. 15-1191
(D.C. No. 1:12-CV-01275-JLK)

THE NAVAJO NATION; THE NAVAJO
TRANSITIONAL ENERGY COMPANY,
LLC,

Intervenors Defendants.

MOTION FOR VOLUNTARY DISMISSAL

Pursuant to Federal Rule of Appellate Procedure 42(b), the undersigned moves the Court to dismiss the appeal in No. 15-1191 with prejudice. Each party has agreed to bear its own costs on appeal, if any have been incurred.

Respectfully submitted,

s/ David C. Shilton

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CERTIFICATE OF DIGITAL SUBMISSION

In accordance with the court's CM/ECF User's Manual, I hereby certify that all required privacy redactions have been made. In addition, I certify that the hard copies of this pleading that may be required to be submitted to the court are exact copies of the ECF filing, and the ECF submission has been scanned for viruses with the most recent version of a commercial virus scanning program (Microsoft Endpoint Protection version 1.203.2586.0, updated 8/18/15) and, according to the program, is free of viruses.

CERTIFICATE OF SERVICE

I hereby certify that on August 18 2015, a true and correct copy of the foregoing **Motion for Voluntary Dismissal** was sent to the persons listed below by digital submission via the 10th Circuit Court's ECF program.

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s/ David C. Shilton
Signature