

1 XAVIER BECERRA
 Attorney General of California
 2 ROBERT W. BYRNE
 Senior Assistant Attorney General
 3 MICHAEL P. CAYABAN (SBN 179252)
 DAVID G. ALDERSON (SBN 231597)
 4 EDWARD H. OCHOA (SBN 144842)
 Supervising Deputy Attorneys General
 5 JOHN APPELBAUM (SBN 149643)
 NOAH GOLDEN-KRASNER (SBN 217556)
 6 JANELLE M. SMITH (SBN 231801)
 AMIE MEDLEY (SBN 266586)
 7 BAINE P. KERR (SBN 265894)
 JESSICA BARCLAY STROBEL (SBN 280361)
 8 JULIA FORGIE (SBN 304701)
 Deputy Attorneys General
 9 600 West Broadway, Suite 1800
 San Diego, California 92101
 10 TELEPHONE: (619) 738-9313
 FAX: (619) 645-2271
 11 E-mail: Mike.Cayaban@doj.ca.gov
 Attorneys for the People of the State of
 12 California, by and through Xavier Becerra,
 Attorney General, and the California Coastal
 13 Commission

14 IN THE UNITED STATES DISTRICT COURT
 15 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

17 **THE PEOPLE OF THE STATE OF**
 18 **CALIFORNIA, BY AND THROUGH**
 19 **XAVIER BECERRA, ATTORNEY**
 20 **GENERAL; THE CALIFORNIA COASTAL**
 21 **COMMISSION,**

Plaintiffs,

22 v.

23 **UNITED STATES OF AMERICA; UNITED**
 24 **STATES DEPARTMENT OF HOMELAND**
 25 **SECURITY; SECRETARY KIRSTJEN**
 26 **NEILSEN, IN HER OFFICIAL CAPACITY;**
 27 **UNITED STATES CUSTOMS AND BORDER**
 28 **PROTECTION; AND COMMISSIONER**
KEVIN K. MCALEENAN, IN HIS OFFICIAL
CAPACITY

Defendants.

17-cv-1911-GPC-WVG

Consolidated with
 Case No. 17-cv-1215 GPC-WVG
 Case No. 17-cv-1873 GPC-WVG

PLAINTIFFS' NOTICE OF APPEAL

The Honorable Gonzalo P. Curiel
 United States District Judge

1 Notice¹ is hereby given that Plaintiffs The People of The State of California,
2 by and through Xavier Becerra, Attorney General, and The California Coastal
3 Commission (“Plaintiffs”), appeal to the United States Court of Appeals for the
4 Ninth Circuit from the District Court’s Order denying Plaintiffs’ motion for
5 summary judgment, and granting Defendants’ motion for summary judgment, as to
6 Plaintiffs’ first through fourth claims for relief (ECF Docket No. 10), and from the
7 District Court’s judgment entered on March 26, 2018, in Defendants’ favor, as to
8 Plaintiffs’ first through fourth claims for relief. (ECF Docket No. 11).

9 Plaintiffs’ Representation Statement, required by Federal Rule of Appellate
10 Procedure, Rule 12(b), and Ninth Circuit Rule 3-2(b), is attached to this Notice of
11 Appeal.

12
13 Dated: April 9, 2018

Respectfully submitted,

14 XAVIER BECERRA
15 Attorney General of California
16 ROBERT W. BYRNE
17 Senior Assistant Attorney General
18 DAVID G. ALDERSON
19 EDWARD H. OCHOA
20 Supervising Deputy Attorneys General

21 /s/ Michael P. Cayaban
22 MICHAEL P. CAYABAN
23 Supervising Deputy Attorney General
24 *Attorneys for Plaintiffs the People of*
25 *the State of California, by and through*
26 *Xavier Becerra, Attorney General, and*
27 *the California Coastal Commission*

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24 41971251.docx

26 _____
27 ¹ As required by Rule 25(d) of the Federal Rules of Civil Procedure, the case
28 caption has been updated to reflect that Kirstjen Nielsen is now Secretary of the
Department of Homeland Security, and that Kevin K. McAleenan is Commissioner
of United States Customs and Border Protection.

1 **REPRESENTATION STATEMENT**

2 Plaintiffs provide this Representation Statement as required by Federal Rule of
3 Appellate Procedure, Rule 12(b), and Ninth Circuit Rule 3-2(b). The Office of the
4 Attorney General, for the State of California, represents Plaintiffs the People of the
5 State of California, by and through Attorney General Xavier Becerra, and the
6 California Coastal Commission, in this matter (17-cv-1911-GPC-WVG).

7 Michael P. Cayaban
8 Supervising Deputy Attorney General
9 600 West Broadway, Suite 1800
10 San Diego, California 92101
11 Telephone: (619) 738-9313
12 Facsimile: (619) 645-2012
13 Email: michael.cayaban@doj.ca.gov

14 Other parties in this matter (17-cv-1911-GPC-WVG), and in the cases that were
15 consolidated with the instant matter (No. 17-cv-1215-GPC-WVG, and 17-cv-1873-
16 GPC-WVG), are represented as follows:

17 1. Galen N. Thorp
18 Senior Counsel
19 U. S. Department of Justice
20 Civil Division, Federal Programs Branch
21 950 Pennsylvania Avenue NW
22 Washington, DC 20530
23 Telephone: (202) 514-4781
24 Facsimile: (202) 616-8460
25 Email: galen.thorp@usdoj.gov
26 *Counsel for Defendants* (in matters 17-cv-1911-GPC-WVG, No. 17-
27 cv-1215-GPC-WVG, and 17-cv-1873-GPC-WVG)

28 2. Brian P. Segee
Senior Attorney
Center for Biological Diversity
P.O. Box 1646
Ojai, California 93024-1646
Telephone: (805) 750-8852
Email: bsegee@biologicaldiversity.org

Brendan Cummings, Anchun Jean Su
Center for Biological Diversity
1212 Broadway, Suite 800
Oakland, California 94612
Telephone: (510) 844-7100
Facsimile: (510) 844-7150
Email: bcummings@biologicaldiversity.org;
jsu@biologicaldiversity.org
Counsel for Plaintiff Center for Biological Diversity (in matter No. 17-
cv-1215-GPC-WVG)

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3. Brett M. Paben
Defenders of Wildlife
535 16th Street
Denver, Colorado 80202
Telephone: (720) 943-0457
Email: bpaben@defenders.org
Counsel for Plaintiff Defenders of Wildlife (in matter No. 17-cv-1873-GPC-WVG)

4. Gloria D. Smith
Sierra Club
2101 Webster Street, Suite 1300
Oakland, California 94612
Telephone: (415) 977-5532
Email: Gloria.smith@sierraclub.org
Counsel for Plaintiff Sierra Club (in matter No. 17-cv-1873-GPC-WVG)

5. Anthony T. Eliseuson
Animal Legal Defense Fund
1755 W. Roscoe Street, Unit 3
Chicago, Illinois 60657
Telephone: (707) 795-2533
Email: aelseuson@aldf.org
Counsel for Plaintiff Animal Legal Defense Fund (in matter No. 17-cv-1873-GPC-WVG)

Sarah K. Hanneken
Animal Legal Defense Fund
919 SW Taylor Street, #400
Portland, Oregon 97205
Telephone: (707) 795-2533
Email: shanneken@aldf.org
Counsel for Plaintiff Animal Legal Defense Fund (in matter No. 17-cv-1873-GPC-WVG)

1 Dated: April 9, 2018

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ROBERT W. BYRNE
Senior Assistant Attorney General
EDWARD H. OCHOA
DAVID G. ALDERSON
Supervising Deputy Attorneys General

/s/ Michael P. Cayaban
MICHAEL P. CAYABAN
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*Attorneys for Plaintiffs the People of
the State of California, by and through
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the California Coastal Commission*

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CERTIFICATE OF SERVICE

Case **In Re: Border** No. **17cv1215-GPC(WVG)**
Name: **Infrastructure**
Environmental Litigation (Consolidated With Case
Nos. **17-CV-1215 GPC-**
WVG; and 17-CV-1873
GPC-WVG)

I hereby certify that on **April 9, 2018**, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

NOTICE OF APPEAL/REPRESENTATION STATEMENT

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **April 9, 2018**, at San Diego, California.

Roberta L. Matson
Declarant


Signature

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