

W. Anderson Forsythe
Brandon J.T. Hoskins
MOULTON BELLINGHAM PC
27 North 27th Street, Suite 1900
P.O. Box 2559
Billings, Montana 59103-2559

Kirsten L. Nathanson (*Pro Hac Vice*)
Elizabeth B. Dawson
CROWELL & MORING LLP
1001 Pennsylvania Avenue, NW
Washington, DC 20004

*Attorneys for Defendant-Intervenors
Peabody Caballo Mining, LLC and
BTU Western Resources, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

WESTERN ORGANIZATION OF)
RESOURCE COUNCILS, *et al.*,)
Plaintiffs,)

v.)

Case No. CV 16-21-GF-BMM

U.S. BUREAU OF LAND)
MANAGEMENT, *et al.*,)
Defendants,)

**AMENDED NOTICE OF
APPEAL**

and)

STATE OF WYOMING, CLOUD)
PEAK ENERGY INC., PEABODY)
CABALLO MINING, LLC, and BTU)
WESTERN RESOURCES, INC.,)
Defendant-Intervenors.)

Please take notice that Defendant-Intervenors Peabody Caballo Mining, LLC, and BTU Western Resources, Inc., hereby file an appeal to the U.S. Court of Appeals for the Ninth Circuit from the District Court's March 26, 2018, Opinion and Amended Order granting in part and denying in part Plaintiffs' motion for summary judgment, Federal Defendants' cross-motion for summary judgment, and Intervenor-Defendants' cross-motions for summary judgment (ECF No. 111); July 31, 2018, Order on remedy (ECF No. 124); and August 1, 2018, Judgment in a Civil Case (ECF No. 125).

Respectfully submitted this 15th day of October, 2018.

/s/ W. Anderson Forsythe

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BRANDON J.T. HOSKINS
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/s/ Kirsten L. Nathanson

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