

Laura H. King (MT Bar No. 13574)
Shiloh S. Hernandez (MT Bar No. 9970)
Western Environmental Law Center
103 Reeder's Alley
Helena, Montana 59601
Ph: (406) 204-4852
king@westernlaw.org
hernandez@westernlaw.org

(List of Counsel continued on next page)

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

WESTERN ORGANIZATION OF RESOURCE
COUNCILS, MONTANA ENVIRONMENTAL
INFORMATION CENTER, POWDER RIVER
BASIN RESOURCE COUNCIL, NORTHERN
PLAINS RESOURCE COUNCIL, SIERRA
CLUB, and NATURAL RESOURCES
DEFENSE COUNCIL,

Plaintiffs,

vs.

U.S. BUREAU OF LAND
MANAGEMENT, an agency within the
U.S. Department of the Interior; RYAN
ZINKE, in his official capacity as Secretary of
the U.S. Department of the Interior, MICHAEL
NEDD, in his official capacity as Acting
Director of the Bureau of Land Management;
and KATHARINE MACGREGOR, in her
official capacity as Acting Assistant Secretary
of Land and Minerals Management of the U.S.
Department of the Interior,

Defendants.

Case No.
4:16-cv-00021-BMM

Notice of Cross-Appeal

Kyle Tisdell, *pro hac vice* (CO Bar No. 42098)
Western Environmental Law Center
208 Paseo del Pueblo Sur #602
Taos, New Mexico 87571
Ph: (575) 613-8050
tisdell@westernlaw.org

*Counsel for Western Organization of
Resource Councils, Montana Environmental
Information Center, Powder River Basin
Resource Council, and Northern Plains
Resource Council*

Nathaniel Shoaff, *pro hac vice* (CA Bar No. 256641)
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
Ph: (415) 977-5610
nathaniel.shoaff@sierraclub.org

Counsel for Sierra Club

Sharon Buccino, *pro hac vice* (DC Bar No. 432073)
Alison L. Kelly, *pro hac vice* (DC Bar No. 1003510)
Natural Resources Defense Council
1152 15th Street, NW, Suite 300
Washington, D.C. 20005
Ph: (202) 289-6868
sbuccino@nrdc.org
akelly@nrdc.org

Counsel for Natural Resources Defense Council

Please take notice that Plaintiffs in the above named case, Western Organization of Resource Councils, Montana Environmental Information Center, Powder River Basin Resource Council, Northern Plains Resource Council, Sierra Club, and Natural Resources Defense Council, hereby file a cross-appeal to the United States 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-motion for summary judgment (Doc. No. 111); the District Court's July 31, 2018, Order on Remedy (Doc. No. 124); and the District Court's August 1, 2018, Judgment (Doc. No. 125). Federal Defendants filed a Notice of Appeal on October 1, 2018 (Doc. No. 126), and the State of Wyoming filed a Notice of Appeal on October 11, 2018 (Doc. No. 128). This Notice of Cross-Appeal is filed pursuant to Fed. R. App. P. 28.1.

Respectfully submitted this 12th day of October, 2018.

/s/ Laura H. King
Laura H. King (MT Bar No. 13574)
Shiloh S. Hernandez (MT Bar No. 9970)
Western Environmental Law Center
103 Reeder's Alley
Helena, Montana 59601
Ph: (406) 204-4852
king@westernlaw.org
hernandez@westernlaw.org

Kyle Tisdel, *pro hac vice* (CO Bar No. 42098)
Western Environmental Law Center
208 Paseo del Pueblo Sur #602
Taos, New Mexico 87571
Ph: (575) 613-8050
tisdel@westernlaw.org

*Counsel for Western Organization of
Resource Councils, Montana
Environmental Information Center,
Powder River Basin Resource
Council, and Northern Plains
Resource Council*

Nathaniel Shoaff, *pro hac vice* (CA Bar No. 256641)
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
Ph: (415) 977-5610
nathaniel.shoaff@sierraclub.org

Counsel for Sierra Club

Sharon Buccino, *pro hac vice* (DC Bar No. 432073)
Alison L. Kelly, *pro hac vice* (DC Bar No. 1003510)
Natural Resources Defense Council
1152 15th Street, NW
Suite 300
Washington, D.C. 20005
Ph: (202) 289-6868
sbuccino@nrdc.org
akelly@nrdc.org

*Counsel for Natural Resources
Defense Council*

CERTIFICATE OF SERVICE

I, the undersigned counsel of record, hereby certify that on this 12th day of October, 2018, I filed a copy of this document electronically through the CM/ECF system, which caused all parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

/s/ Laura King
Laura King