

No. 18-35870

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

WESTERN ORGANIZATION OF RESOURCE COUNCILS, ET AL.,
Plaintiffs-Appellees,

v.

U.S. BUREAU OF LAND MANAGEMENT, ET AL.,
Defendants,

CLOUD PEAK ENERGY INC.; STATE OF WYOMING,
Intervenor-Defendants,

and

PEABODY CABALLO MINING, LLC; BTU WESTERN RESOURCES, INC.,
Intervenor-Defendants-Appellants.

STIPULATED MOTION FOR VOLUNTARY DISMISSAL

Pursuant to Federal Rule of Appellate Procedure 42(b), Intervenor-Defendants-Appellants Peabody Caballo Mining, LLC, and BTU Western Resources, Inc. move the Court for an order dismissing the above-captioned appeal.

The other parties in this appeal have been contacted and do not oppose this request. The parties agree that each party will bear its own costs related to the appeal.

Respectfully submitted,

/s/ Elizabeth B. Dawson

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LLC & BTU Western Resources, Inc.*

**CERTIFICATE OF COMPLIANCE WITH
FEDERAL RULES OF APPELLATE PROCEDURE 32 AND 27**

I hereby certify that this motion complies with the requirements of Federal Rule of Appellate Procedure 32(a)(5) and (6) because it has been prepared in 14-point Times New Roman, a proportionally-spaced font.

I further certify that the foregoing motion complies with the type-volume limitation in Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 58 words.

/s/ Elizabeth B. Dawson
Elizabeth B. Dawson

CERTIFICATE OF SERVICE

I certify that on December 21, 2018, I electronically filed a copy of the foregoing Stipulated Motion for Voluntary Dismissal with the Clerk of Court for the U.S. Court of Appeals for the Ninth Circuit via the appellate CM/ECF system.

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

/s/ Elizabeth B. Dawson
Elizabeth B. Dawson