

Jeffery J. Oven
Mark L. Stermitz
Jeffrey M. Roth
CROWLEY FLECK PLLP
490 North 31st Street, Ste. 500
Billings, MT 59103-2529
Telephone: 406-252-3441
Email: joven@crowleyfleck.com
mstermitz@crowleyfleck.com
jroth@crowleyfleck.com

Peter R. Steenland
Peter R. Whitfield
Lauren C. Freeman
SIDLEY AUSTIN LLP
1501 K Street, NW
Washington, DC 20005
Telephone: 202-736-8000
Email: psteenland@sidley.com
pwhitfield@sidley.com
lfreeman@sidley.com

Counsel for TransCanada Keystone Pipeline, LP and TransCanada Corporation

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

INDIGENOUS ENVIRONMENTAL
NETWORK, *et al.*,

and

NORTHERN PLAINS RESOURCE
COUNCIL, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
STATE, *et al.*,

Federal Defendants,

and

TRANSCANADA CORPORATION, *et
al.*,

Defendant-Intervenors.

CV-17-29-GF-BMM

NOTICE OF APPEAL

Notice is hereby given that Defendant-Intervenors TransCanada Keystone Pipeline, LP and TransCanada Corporation hereby appeal to the United States Court of Appeals for the Ninth Circuit from this Court's Orders and Final Judgment that addressed the summary judgment motions filed by Plaintiffs, Defendants, and Defendant-Intervenors and granted a permanent injunction. The Court issued the Orders and Final Judgment on November 8, 2018 (Doc. 218) and November 15, 2018 (Docs. 219 and 220). Defendant- Intervenors also appeal the Court's Supplemental Order Regarding Permanent Injunction, which the Court entered on December 7, 2018 (Doc. 231).

This notice of appeal is filed within 60 days after the dates of the Orders; therefore, it is timely pursuant to Federal Rule of Appellate Procedure 4(a)(1)(B).

A Representation Statement is attached hereto pursuant to Ninth Circuit Rules 3-2(b) and 12-2.

Dated this 21st day of December 2018.

CROWLEY FLECK PLLP

/s/ Jeffery J. Oven

Jeffery J. Oven
Mark L. Stermitz
Jeffrey M. Roth
490 North 31st Street, Ste 500
P.O. Box 2529
Billings, MT 59103-2529
Email: joven@crowleyfleck.com
mstermitz@crowleyfleck.com
jroth@crowleyfleck.com

SIDLEY AUSTIN LLP

/s/ Peter R. Steenland, Jr

Peter R. Steenland, Jr.

Peter C. Whitfield

Lauren C. Freeman

1501 K Street, N.W.

Washington, D.C. 20005

Email: psteenland@sidley.com

pwhitfield@sidley.com

lfreeman@sidley.com

*Counsel for TransCanada Keystone
Pipeline, LP and TransCanada Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2018, the foregoing document was served on all counsel of record via the Court's CM/ECF system.

/s/ Jeffery J. Oven