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Attorneys for Federal Defendants

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

<p>INDIGENOUS ENVIRONMENTAL NETWORK, <i>et al.</i>,</p> <p>and</p> <p>NORTHERN PLAINS RESOURCE COUNCIL, <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>v.</p>	<p>CV 17-29-GF-BMM CV 17-31-GF-BMM</p> <p>Consolidated</p> <p>FEDERAL DEFENDANTS' NOTICE OF APPEAL</p>
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UNITED STATES DEPARTMENT OF
STATE, *et al.*,

Defendants,

and

TRANSCANADA CORPORATION, *et
al.*,

Defendant-Intervenors.

Pursuant to Federal Rules of Appellate Procedure 3 and 4 and 28 U.S.C. § 1292(a)(1), notice is hereby given that the United States Department of State, Michael R. Pompeo in his official capacity as Secretary of State,¹ the United States Fish and Wildlife Service, Margaret Everson, in her official capacity as Principal Deputy Director Exercising the Authority of the Director,² and David Bernhardt, in his official capacity as Acting Secretary of the Interior³ hereby appeal the Court's November 22, 2017 Order, Dkt. #99, the Court's August 15, 2018 Partial Order on Summary Judgment Regarding NEPA Compliance, Dkt. # 210, the Court's November 8, 2018 Order, Dkt. # 218, and the Court's November 15, 2018 Order, Dkt. #219. This appeal is taken to the United States Court of Appeals for the Ninth Circuit.

¹ Secretary Pompeo is substituted for Thomas A. Shannon, Jr. pursuant to Fed. R. Civ. P. 25(d).

² Ms. Everson is substituted for James Kurth pursuant to Fed. R. Civ. P. 25(d).

³ Mr. Bernhardt is substituted for Ryan Zink pursuant to Fed. R. Civ. P. 25(d).

Respectfully submitted this 1st day of February, 2019,

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CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2019, a copy of the foregoing Federal Defendants' Notice of Appeal was served on all counsel of record via the Court's CM/ECF system.

/s/ Bridget K. McNeil
Bridget Kennedy McNeil
U.S. Department of Justice