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10 *Counsel for Plaintiffs Center for Biological Diversity, Turtle Island Restoration Network,*
11 *Japan Environmental Lawyers for Future, Save the Dugong Foundation, Anna Shimabukuro,*
12 *Takuma Higashionna, and Yoshikazu Makishi*

13 **UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 CENTER FOR BIOLOGICAL DIVERSITY;)
17 TURTLE ISLAND RESTORATION)
18 NETWORK; JAPAN ENVIRONMENTAL)
19 LAWYERS FOR FUTURE¹; SAVE THE)
20 DUGONG FOUNDATION; ANNA)
21 SHIMABUKURO; TAKUMA)
22 HIGASHIONNA; and YOSHIKAZU) Civil Action No. 3:03-cv-4350 (EMC)
23 MAKISHI,)
24 Plaintiffs,) **PLAINTIFFS' NOTICE OF APPEAL**
25 v.) **AND NINTH CIRCUIT RULE 3-2**
26) **REPRESENTATION STATEMENT**
27 JAMES MATTIS, in his official capacity as the)
28 Secretary of Defense; and US Department of)
Defense,)
Defendants.)

29 **PLAINTIFFS' NOTICE OF APPEAL**

30 Notice is hereby given that Center for Biological Diversity, Turtle Island Restoration
31 Network, Japan Environmental Lawyers for Future (JELF), Save the Dugong Foundation, Anna
32 Shimabukuro, Takuma Higashionna, and Yoshikazu Makishi, Plaintiffs in the above named case,

33 _____
34 ¹ In previous proceedings, Japan Environmental Lawyers for Future was identified as Japan
35 Environmental Lawyers Federation. On April 2, 2018, Japan Environmental Lawyers Federation
36 incorporated and changed its name to Japan Environmental Lawyers for Future.

1 hereby appeal to the United States Court of Appeals for the Ninth Circuit from the Order Denying
2 Plaintiffs' Motion for Summary Judgment and Granting Defendants' Cross-Motion for Summary
3 Judgment (Dkt. No. 231) and Judgment (Dkt. No. 232) entered in this case on August 1, 2018.

4 Pursuant to Federal Rule of Appellate Procedure 12(b) and Ninth Circuit Rule 3-2(b),
5 Plaintiffs' Representation Statement is attached hereto.

6
7 Respectfully submitted,

8 DATED: September 24, 2018

s/ Sarah H. Burt

9 J. MARTIN WAGNER

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REPRESENTATION STATEMENT

Pursuant to Federal Rule of Appellate Procedure 12(b), as modified by Circuit Rule 3-2, Plaintiffs/Appellants state that the parties are represented by the counsel whose names, addresses, telephone numbers, and facsimile numbers appear below:

Plaintiffs Center for Biological Diversity, Turtle Island Restoration Network, Japan Environmental Lawyers for Future, Save the Dugong Foundation, Anna Shimabukuro, Takuma Higashionna, and Yoshikazu Makishi are represented by:

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Defendants James Mattis, in his official capacity as the Secretary of Defense, and US Department of Defense, are represented by:

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Respectfully submitted,

1 DATED: September 24, 2018

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