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11 *Japan Environmental Lawyers Federation, Save The Dugong Foundation, Anna*
12 *Shimabukuro, 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 FEDERATION; 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 ASH CARTER¹, 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 Federation, Save the Dugong Foundation, Anna
32 Shimabukuro, Takuma Higashionna, and Yoshikazu Makishi, Plaintiffs in the above named case,

33 _____
34 ¹ Ash Carter has replaced Chuck Hagel as Secretary of Defense and is automatically substituted
35 as the named defendant under Fed. R. Civ. P. 25(d).

1 hereby appeal to the United States Court of Appeals for the Ninth Circuit from the Amended Order
2 Granting Defendants' Motion To Dismiss (Dkt. No. 188) and Amended Judgment In A Civil Case
3 (Dkt. No. 189) entered in this case on February 13, 2015.

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

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7
8 DATED: April 9, 2015

Respectfully submitted,

s/ Sarah H. Burt

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Counsel for Plaintiffs

REPRESENTATION STATEMENT

Pursuant to Federal Rule of Appellate Procedure 12(b) and Circuit Rule 3-2,
Plaintiffs/Appellants provide the following information identifying the parties and the names,
addresses and telephone numbers of their respective counsel:

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

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Defendants Ash Carter, in his official capacity as the Secretary of Defense; and US
Department of Defense, are represented by:

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Respectfully submitted,

DATED: April 9, 2015

s/ Sarah H. Burt

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