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*Attorneys for Federal Defendants*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEFENDERS OF WILDLIFE, et al.,  
Plaintiffs,  
v.  
U.S. FISH AND WILDLIFE SERVICE, et al.,  
Defendants.

Case No. 4:21-cv-00344-JSW  
4:21-cv-00349-JSW  
4:21-cv-00561-JSW

WILDEARTH GUARDIANS, et al.,  
Plaintiffs,  
v.  
DEBRA HAALAND, U.S. SECRETARY OF  
THE INTERIOR, et al.,  
Defendants.

**FEDERAL DEFENDANTS' NOTICE OF  
APPEAL**

NATURAL RESOURCES DEFENSE  
COUNCIL, INC.,  
Plaintiffs,  
v.  
UNITED STATES DEPARTMENT OF THE  
INTERIOR, et al.,  
Defendants.

1 Federal Defendants in each of the three above-captioned related cases—the U.S.  
2 Department of the Interior, Debra Haaland, Secretary of the Interior, the U.S. Fish and Wildlife  
3 Service, and Martha Williams, Director of the U.S. Fish and Wildlife Service—appeal to the  
4 United States Court of Appeals for the Ninth Circuit from the District Court’s February 10, 2022  
5 Order Resolving Cross-Motions for Summary Judgment<sup>1</sup> and its February 10, 2022 Judgment.<sup>2</sup>

6 This Notice of Appeal is timely under Federal Rule of Appellate Procedure 4(a)(3). A  
7 Representation Statement is attached pursuant to Ninth Circuit Rule 3-2(b).

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10 DATED: April 25, 2022

TODD KIM, Assistant Attorney General  
SETH M. BARSKY, Section Chief  
MEREDITH L. FLAX, Assistant Section Chief

11  
12 */s/ Michael R. Eitel*  
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25 KRISTEN BYRNES FLOOM  
26 U.S. Department of the Interior  
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<sup>1</sup> See *Def. of Wildlife v. U.S. Fish and Wildlife Serv.*, 21-cv-344-JSW, ECF 138; *WildEarth Guardians v. Haaland*, 21-cv-349-JSW, ECF 128; *Nat. Res. Def. Council v. U.S. Dep’t of the Interior*, 21-cv-561-JSW, ECF 118.

<sup>2</sup> See *Def. of Wildlife v. U.S. Fish and Wildlife Serv.*, 21-cv-344-JSW, ECF 139; *WildEarth Guardians v. Haaland*, 21-cv-349-JSW, ECF 129; *Nat. Res. Def. Council v. U.S. Dep’t of the Interior*, 21-cv-561-JSW, ECF 119.

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**CERTIFICATE OF SERVICE**

NATURAL RESOURCES DEFENSE  
COUNCIL, INC.,  
Plaintiffs,  
v.  
UNITED STATES DEPARTMENT OF THE  
INTERIOR, et al.,  
Defendants.

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such to the attorneys of record.

/s/ Michael R. Eitel  
MICHAEL R. EITEL