

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CHAD EVERET BRACKEEN, et al.

Plaintiffs,

v.

RYAN ZINKE, in his official capacity as
Secretary of the United States Department of
the Interior, et al.,

Defendants,

and

CHEROKEE NATION, et al.,

Defendant-Intervenors.

Civil Action No: 4:17-cv-868-O

NOTICE OF APPEAL

The United States, the United States Department of the Interior, Ryan K. Zinke, in his official capacity as Secretary of the Interior, Tara Sweeney, in her official capacity as Assistant Secretary – Indian Affairs, the Bureau of Indian Affairs, the Department of Health and Human Services (HHS), and Alex Azar, in his official capacity as Secretary of HHS, hereby appeal to the United States Court of Appeals for the Fifth Circuit from (1) the Final Judgment entered on October 4, 2018 (ECF No. 167) and all the orders incorporated in the Final Judgment; and (2) the post-judgment Order granting Plaintiffs’ motion to supplement the record (ECF No. 181).

Dated: November 30, 2018

Respectfully submitted,

JEFFREY H. WOOD
Principal Deputy Assistant Attorney General
Environment and Natural Resources Division

/s/ JoAnn Kintz
JoAnn Kintz (CO Bar No. 47870)
Steven Miskinis
Christine Ennis
U.S. Department of Justice
Environment & Natural Resources Division
Indian Resources Section
P.O. Box 7611, Ben Franklin Station
Washington, DC 20044
Telephone: (202) 305-0424
Facsimile: (202) 305-0275
joann.kintz@usdoj.gov

Counsel for Defendants

Of Counsel:

Sam Ennis
Solicitor's Office, Division of Indian Affairs
United States Department of the Interior

CERTIFICATE OF SERVICE

I hereby certify that on this 30th of November, 2018, a true and correct copy of the foregoing was submitted to the Clerk of the Court for the U.S. District Court, Northern District of Texas, along with Plaintiffs' and Defendant-Intervenors' counsel, using the ECF system of the Court.

/s/ JoAnn Kintz
JoAnn Kintz
Trial Attorney
U.S. Department of Justice