

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

WEST FLAGLER ASSOCIATES, LTD., d/b/a
MAGIC CITY CASINO; AND BONITA-FORT
MYERS CORPORATION, d/b/a BONITA
SPRINGS POKER ROOM,

Plaintiffs,

v.

DEB HAALAND, in her official capacity as
Secretary of the United States Department of
the Interior; and THE UNITED STATES
DEPARTMENT OF THE INTERIOR,

Federal Defendants.

Civil Action No. 1:21-cv-02192-DLF

NOTICE OF APPEAL

Notice is hereby given that Federal Defendants Deb Haaland, in her official capacity as Secretary of the Interior, and the United States Department of the Interior, by and through their undersigned counsel, hereby appeal to the United States Court of Appeals to the District of Columbia Circuit from the Order and Memorandum Opinion entered in the above-named action on November 22, 2021 (ECF Nos. 42 and 43), granting Plaintiffs’ Motion for Summary Judgment; denying Federal Defendants’ Motion to Dismiss, and denying as moot the Seminole Tribe of Florida’s Motion for Limited Intervention.

Respectfully submitted this 19th day of January, 2022.

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division

/s/ Rebecca M. Ross

REBECCA M. ROSS, Trial Attorney
HILLARY K. HOFFMAN, Trial Attorney
Indian Resources Section
Environment and Natural Resources Division
United States Department of Justice
P.O. Box 7611, Ben Franklin Station
Washington, DC 20044
Telephone: (202) 616-3148
rebecca.ross@usdoj.gov
hillary.hoffman@usdoj.gov
Attorneys for Federal Defendants

OF COUNSEL:
JODY H. SCHWARZ
Senior Attorney
Office of the Solicitor
Division of Indian Affairs

CERTIFICATE OF SERVICE

I, Rebecca M. Ross, hereby certify that on January 19, 2022, I caused the foregoing NOTICE OF APPEAL to be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Rebecca M. Ross
REBECCA M. ROSS, Trial Attorney
Indian Resources Section
Environment and Natural Resources Division
United States Department of Justice