

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

CHAD EVERET BRACKEEN, et al., §

and §

STATE OF TEXAS, §

STATE OF LOUISIANA, and §

STATE OF INDIANA, §

Plaintiffs, §

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

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., §

Intervenor-Defendants. §

NOTICE OF APPEAL

The Cherokee Nation, Oneida Nation, Quinault Indian Nation, and Morongo Band of Mission Indians, Intervenor-Defendants in the above-referenced case, hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Final Judgment entered on October 4, 2018 (Dkt. No. 167); the Order granting Plaintiffs’ motions for summary judgment, entered on October 4, 2018 (Dkt. No. 166); the Order denying the Defendants’ motions to dismiss, entered on July 24, 2018 (Dkt. No. 155); the Order denying the Defendants’ motion to stay pending

appeal and granting Plaintiffs' motion to supplement the record (Dkt. No. 181); and all other orders incorporated in the Final Judgment.

Dated: November 19, 2018 Respectfully submitted,

By: /s/ Adam H. Charnes

Adam H. Charnes

State Bar No. 24090629

acharnes@kilpatricktownsend.com

Christin J. Jones

State Bar No. 24070017

cjones@kilpatricktownsend.com

KILPATRICK TOWNSEND & STOCKTON LLP

2001 Ross Avenue, Suite 4400

Dallas, Texas 75201

Telephone: (214) 922-7100

Telecopier: (214) 922-9277

Keith M. Harper

Northern Dist. of TX Bar No. 451956DC

kharper@kilpatricktownsend.com

Venus McGhee Prince

(Admitted Pro Hac Vice)

D.C. Bar No. 985717

vprince@kilpatricktownsend.com

KILPATRICK TOWNSEND & STOCKTON LLP

607 14th Street, N.W.

Washington, DC 20005

Telephone: (202) 508-5800

Telecopier: (202) 315-3241

Thurston H. Webb

(Admitted Pro Hac Vice)

G.A. Bar No. 853388

twebb@kilpatricktownsend.com

KILPATRICK TOWNSEND & STOCKTON LLP

1100 Peachtree Street NE

Atlanta, GA 30309

Telephone: (404) 815-6300

Telecopier: (404) 541-3127

Kathryn E. Fort

(Admitted Pro Hac Vice)

M.I. Bar No. P69451

fort@law.msu.edu

INDIAN LAW CLINIC

MICHIGAN STATE UNIVERSITY

COLLEGE OF LAW

648 N. Shaw Lane

East Lansing, MI 48823

Telephone: (517) 432-6992

**COUNSEL FOR CHEROKEE NATION,
ONEIDA NATION, QUINAULT INDIAN
NATION, AND MORONGO BAND OF
MISSION INDIANS**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 19th day of November, 2018, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(d).

/s/ Adam H. Charnes

Adam H. Charnes