

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
WESTERN DIVISION

CITY OF COUNCIL BLUFFS, IOWA,)
)
 Plaintiff,)
 and)
 STATE OF NEBRASKA, ex rel., DOUGLAS)
 J. PETERSON, Attorney General of the State)
 Nebraska,)
)
 and)
 STATE OF IOWA,)
)
 Intervenor-Plaintiffs)
)
 v.)
)
 UNITED STATES DEPARTMENT OF)
 THE INTERIOR, DAVID BERNHARDT, in his)
 official capacity as Secretary of the United)
 States Department of the Interior; NATIONAL)
 INDIAN GAMING COMMISSION; JONODEV)
 OSCEOLA CHAUDHURI,¹ in his official capacity)
 as Chairman of the National Indian Gaming)
 Commission; and KATHRYN ISOM-CLAUSE,)
 in her official capacity as Vice Chair of the)
 National Indian Gaming Commission,)
)
 Defendants.)
 _____)

Civ. No. 1:17-cv-00033-SMR-CFB

PLAINTIFFS'
NOTICE OF APPEAL

Notice of Appeal

Notice is hereby given that the City of Council Bluffs, Iowa, the State of Iowa, and the State of Nebraska hereby appeal to the Court of Appeals for the Eighth Circuit from (1) the Final

¹ Mr. Chaudhuri resigned from the National Indian Gaming Commission effective May 15, 2019. Pursuant to Fed. R. Civ. P. 25(d), as a public officer, his successor when named can be “automatically substituted as a party.”

Judgment issued on March 28, 2019 (ECF No. 56) and all the orders incorporated into the Final Judgment, including the Summary Judgment Order issued on March 26, 2019 (ECF No. 55); and (2) the Post-judgment Order on Motions issued on August 12, 2019 (ECF No. 77).

Respectfully Submitted August 26, 2019.

<p><u>/s/ Richard Wade</u></p> <p>Richard Wade, City Attorney for Council Bluffs 209 Pearl Street Council Bluffs, Iowa 51503 Tel. (712) 890-5317 Fax. (712) 322-9255</p> <p><i>Counsel for Plaintiff</i></p>	<p>Thomas J. Miller, Iowa Atty. General Jeffrey S. Thompson, Solicitor General</p> <p><u>/s/ David M. Ranscht</u></p> <p>David M. Ranscht John R. Lundquist Assistant Attorneys General Hoover Building, 2nd Floor Des Moines, IA 50319 Tel. (515) 281-7175 Fax. (515) 281-4209 Jeffrey.thompson@ag.iowa.gov david.ranscht@ag.iowa.gov john.lundquist@ag.iowa.gov</p> <p><i>Counsel for the State of Iowa</i></p> <p>AND</p> <p>Douglas J. Peterson, Attorney General of Nebraska</p> <p><u>/s/ Ryan S. Post</u> Ryan S. Post (<i>pro hac vice</i>) Asst. Atty. General and Civil Litigation Bureau Chief Office of the Attorney General 2115 State Capitol Lincoln, Nebraska 68509 Tel. (402) 471-2682 ryan.post@nebraska.gov</p> <p><i>Counsel for the State of Nebraska</i></p>
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