

1 Pursuant to Federal Rules of Appellate Procedure 3 and 4 and 28 U.S.C. § 1291, notice is
2 hereby given that Defendants Jennifer Quan, in her official capacity as Regional Administrator
3 of the National Marine Fisheries Service; Janet Coit, in her official capacity as the Assistant
4 Administrator for Fisheries of the National Marine Fisheries Service; the National Marine
5 Fisheries Service; Gina Raimondo, in her official capacity as Secretary of the U.S. Department
6 of Commerce; and the U.S. Department of Commerce hereby appeal to the United States Court
7 of Appeals for the Ninth Circuit from the September 27, 2021 Report and Recommendation
8 (Dkt. # 111), August 8, 2022 Order Adopting Report and Recommendation (Dkt. # 122),
9 December 13, 2022 Report and Recommendation (Dkt. # 144), May 2, 2023 Order Adopting
10 Report and Recommendation (Dkt. # 165), and May 4, 2023 Judgment in a Civil Case (Dkt. #
11 169). Copies of these documents are attached. This case was first filed in the district court on
12 March 18, 2020. The Defendant-Intervenors State of Alaska and Alaska Trollers Associations
13 noticed their appeals on May 3, 2023 (Ninth Cir. No. 23-35322), and May 5, 2023 (Ninth Cir.
14 No. 22-35323), respectively. Plaintiff Wild Fish Conservancy cross-appealed on May 4, 2023
15 (Ninth Cir. No. 23-35324). There have been no previous appeals in this case. Pursuant to the
16 Ninth Circuit Rule 3-2, a Representation Statement is below.

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18 Dated: May 23, 2023

Respectfully submitted,

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Section Chief

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Defendants' Notice of Appeal

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REPRESENTATION STATEMENT

Counsel for Defendants Jennifer Quan, in her official capacity as Regional Administrator of the National Marine Fisheries Service; Janet Coit, in her official capacity as the Assistant Administrator for Fisheries of the National Marine Fisheries Service; National Marine Fisheries Service; Gina Raimondo, in her official capacity as Secretary of the United States Department of Commerce; and United States Department of Commerce

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CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Western District of Washington by using the CM/ECF system, which will serve a copy of the same on the counsel of record.

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