

UNITED STATES COURT OF APPEALS

DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW
Washington, DC 20001-2866
Phone: 202-216-7000 | Facsimile: 202-219-8530

Case Caption: U.S. Representative John Linder, et al

v.

Case No: 10-1035

U.S. Environmental Protection Agency

ENTRY OF APPEARANCE

Party Information

The Clerk shall enter my appearance as counsel for the following parties:

(List each party represented individually. Use an additional blank sheet as necessary)

Appellant(s)/Petitioner(s) Appellee(s)/Respondent(s) Intervenor(s) Amicus Curiae

U.S. Representative John Linder (GA-7th);

U.S. Rep. Dana Rohrabacher (CA-46th);

U.S. Representative John Shimkus (IL-19th);

U.S. Representative Phil Gingrey (GA-11th);

U.S. Rep. Lynn Westmoreland (GA-3rd);

U.S. Representative Tom Price (GA-6th);

U.S. Representative Paul Broun (GA-10th);

U.S. Representative Steve King (IA-5th); *

Names of Parties

Names of Parties

Counsel Information

Lead Counsel: Shannon L. Goessling (Firm and Address below)

Direct Phone: (404) 257-9667 Fax: (404) 257-0049 Email: shannon@southeasternlegal.org

2nd Counsel: Edward A. Kazmarek (see attached for firm & address)

Direct Phone: (404) 812-0840 Fax: (404) 812-0845 Email: skazmarek@mindspring.com

3rd Counsel: Harry W. MacDougald (see attached for firm & address)

Direct Phone: (404) 843-1956 Fax: (404) 843-2737 Email: hmacdougald@cwlaw.org

Firm Name: Southeastern Legal Foundation

Firm Address: 6100 Lake Forrest Drive NW, Suite 520, Atlanta, GA 30328

Firm Phone: (404) 257-9667 Fax: (404) 257-0049 Email: jayers@southeasternlegal.org

Notes: This form must be submitted by a member of the Bar of the U.S. Court of Appeals for the D.C. Circuit.

Names of non-member attorneys listed above will not be entered on the court's docket.

Applications for admission are available on the court's web site at <http://www.cadc.uscourts.gov/>

**UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT**

Linder, et al v. U.S. EPA
Case No. 10-1035 (consolidated under 09-1322)

ATTACHMENT TO ENTRY OF APPEARANCE

Additional Names of Parties:

U.S. Representative Nathan Deal (GA-9th);
U.S. Representative Jack Kingston (GA-1st);
U.S. Representative Michele Bachmann (MN-6th);
U.S. Representative Kevin Brady (TX-8^h);
Southeastern Legal Foundation, Inc.;
The Langdale Company;
Langdale Forest Products Company;
Langdale Farms, LLC;
Langdale Fuel Company;
Langdale Chevrolet – Pontiac, Inc.;
Langdale Ford Company;
Langboard, Inc. – MDF;
Langdale, Inc. - OSB;
Georgia Motor Trucking Association, Inc.;
Collins Industries, Inc.;
Collins Trucking Company, Inc.;
Kennesaw Transportation, Inc.;
J&M Tank Lines, Inc;
Southeast Trailer Mart, Inc.;
Horizon Freight System, Inc.; and
Georgia Agribusiness Council, Inc.

Additional Counsel Information:

2nd Counsel: Edward A. Kazmarek
Firm Name: Kazmarek Geiger & Laseter LLP
Firm Address: 3490 Piedmont Road, NE, Suite 201, Atlanta, GA 30305
Firm Phone: (404) 812-0839 Fax: (404) 812-0845
Firm Email: nsmith@kglattorneys.com

3rd Counsel: Harry W. McDougald

Firm Name: Caldwell & Watson LLP

Firm Address: 5825 Glenridge Drive, NE, Building Two, Suite 200, Atlanta, GA
30328-5579

Firm Phone: (404) 843-1956 Fax: (404) 843-2737

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on April 15, 2010, I electronically filed the foregoing "Entry of Appearance" using the Court's ECF system, and thereby caused it to be served by electronic transmission to counsel of record that are registered to use the Court's CM/ECF system. All counsel not registered with the Court's CM/ECF system were served via first-class postage paid mail.

Jon M. Lipshutz, Senior Counsel
U.S. Department of Justice
Environmental & Natural Resources
Division
P.O. Box 23986
L'Enfant Plaza Station
Washington, DC 20026-3986
*Counsel for Respondents
Environmental Protection Agency
Served via CM/ECF*

John A. Bryson
Emily C. Schilling
Holland & Hart LLP
975 F. Street, N.W.
Washington, DC 20004
*Counsel for Petitioners
Served via CM/ECF*

Angeline Purdy
U.S. Department of Justice
Environmental Defense Section
P.O. Box 23986
601 D Street, NW
Washington, DC 22204
*Counsel for Respondents
Environmental Protection Agency
Served via CM/ECF*

Paul D. Phillips
Robert T. Connery
Cori S. Peterson
Cathy R. Milkey
Holland & Hart LLP
555 17th Street, Suite 3200
Denver, CO 80202-3979
*Counsel for Petitioners
Served via CM/ECF*

Patrick R. Day
Holland & Hart LLP
2515 Warren Avenue, Suite 450
Cheyenne, WY 82001
Counsel for Petitioners

Eric Groten
Vinson & Elkins LLP
2801 Via Fortuna, Suite 100
Austin, TX 78746-8709
Counsel for Petitioners
Served via CM/ECF

Peter Glaser
Michael H. Higgins
Soo Jin Kim
Troutman Sanders LLP
401 9th Street, N.W., Suite 1000
Washington, DC 20004
Counsel for Petitioners
Served via CM/ECF

Matthew G. Paulson
Brian J. Faulkner
Baker Botts LLP
98 San Jacinto Blvd.
1500 San Jacinto Center
Austin, TX 78701
Counsel for Petitioners
Served via CM/ECF

James A. Holtkamp
Holland & Hart LLP
60 E. South Temple, Suite 2000
Salt Lake City, UT 84111
Counsel for Petitioners

Robin S. Conrad
Amar D. Sarwal
National Chamber Litigation
Center, Inc.
1615 H. Street, N.W.
Washington, DC 20063
Counsel for Petitioners
Served via CM/ECF

William H. Burgess
Robert R. Gassaway
Kirkland & Ellis LLP
655 Fifteenth Street, N.W.,
Suite 1200
Washington, DC 20005
Counsel for Petitioners
Served via CM/ECF

F. William Brownell
Norman W. Fichthorn
Allison D. Wood
Hunton & Williams LLP
1900 K Street, N.W.
Washington, DC 20006
Counsel for Petitioners
Served via CM/ECF

E. Duncan Getchell, Jr.
State Solicitor General
Office of the Attorney General
900 East Main Street
Richmond, VA 23219
Counsel for Petitioners
Served via CM/ECF

Paul D. Clement
Ashley C. Parrish
King & Spalding LLP
1700 Pennsylvania Avenue, N.W.,
Suite 200
Washington, DC 20006
Counsel for Petitioners
Served via CM/ECF

Chet M. Thompson
Crowell & Moring LLP
1001 Pennsylvania Ave., N.W.
Washington, DC 20004
Counsel for Petitioner
Served via CM/ECF

Michele Marie Schoeppe
American Petroleum Institute
1220 L Street, N.W.
Washington, DC 20005-4070
Counsel for Petitioners
Served via CM/ECF

Michael A. Cox, Attorney General
B. Eric Restuccia, Solicitor General
Neil D. Gordon, Assistant AG
Office of the Attorney General
State of Michigan
ENRA Division
G. Mennan Williams Building
525 Ottawa Street, 6th Floor
Lansing, MI 48933
Counsel for Movant-Intervenor
Petitioner
Served via CM/ECF

Marty J. Jackley, Attorney General
Roxanne Giedd,
Deputy Attorney General
Office of Attorney General
State of South Dakota
1302 E. Highway 14, Suite 1
Pierre, SD 57501
Counsel for Movant-Intervenor
Petitioner
Served via CM/ECF

Edmund G. Brown, Jr.,
Attorney General
Marc N. Melnick, Deputy AG
Office of the Attorney General
State of California
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612
Counsel for Movant-Intervenor
Respondent

Martha Coakley, Attorney General
Carol Iancu, Assistant AG
Tracy Triplett, Assistant AG
Office of the Attorney General - EPD
Commonwealth of Massachusetts
One Ashburton Place, 18th Floor
Boston, MA 02108
Counsel for Movant-Intervenor
Respondent
Served via CM/ECF

Andrew M. Cuomo, Attorney General
Michael J. Myers,
Assistant Attorney General
Yueh-Ru Chu,
Assistant Attorney General
Office of the Attorney General
State of New York
The Capitol
Albany, NY 12224
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Alexandra M. Walsh
Adam J. White
Baker Botts LLP
1299 Pennsylvania Ave., N.W.
Washington, DC 20004
*Counsel for Movant-Intervenor
Petitioner
Served via CM/ECF*

Timothy K. Webster
Roger R. Martella
Sidney Austin LLP
1501 K Street, N.W.
Washington, DC 20005
*Counsel for Movant-Intervenor
Petitioner
Served via CM/ECF*

Thomas J. Miller, Attorney General
David R. Sheridan,
Assistant Attorney General
Office of the Attorney General
State of Iowa
Lucas State Office Building
321 E. 12th Street, Ground Floor
Des Moines, IA 50319
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Patrick C. Lynch, Attorney General
Gregory S. Schultz
Special Assistant AG
Rhode Island Department of
Attorney General
150 South Main Street
Providence, RI 02903
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

John Kroger, Attorney General
Jerome Lidz, Solicitor General
Denise Fjordbeckm,
Attorney-in-Charge, Civil
Paul Logan
Assistant Attorney General
Oregon Department of Justice
1515 SW Fifth Avenue, Suite 410
Portland, OR 97201
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Douglas F. Gansler, Attorney General
Mary Raivel,
Assistant Attorney General
Office of the Attorney General
Maryland Department of the
Environment
1800 Washington Boulevard,
Suite 6048
Baltimore, MD 21230
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Robert M. McKenna, Attorney General
Leslie R. Seffern,
Assistant Attorney General
Office of the Attorney General
State of Washington
P.O. Box 40117
Olympia, WA 98504-0117
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

William H. Sorrell, Attorney General
Thea J. Schwartz
Office of Attorney General
State of Vermont
109 State Street
Montpelier, VT 05609-1001
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Benjamin Longstreth
Colin O'Brien, David Doniger
John DuVal Walke
Natural Resources Defense Council
1200 New York Avenue, NW
Suite 400
Washington, DC 20005
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Vickie Patton
Pamela Campos
Environmental Defense Fund
2334 N. Broadway
Boulder, CO 80304
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Sean H. Donahue
2000 L Street, NW, Suite 808
Washington, DC 20036
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Ann Brewster Weeks, Senior Counsel
Clean Air Task Force
18 Tremont Street, Suite 530
Boston, MA 02108
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Joseph Mendelson III
National Wildlife Federation
901 E Street NW, Suite 400
Washington, DC 20004
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Susan Shinkman, Chief Counsel
Robert A. Reiley, Assistant Counsel
Kristen M. Furlan, Assistant Counsel
Department of Environmental
Protection
400 Market Street, 9th Floor
Harrisburg, PA 17105
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Susan J. Kraham
Edward Lloyd
Columbia University School of Law
Environmental Law Clinic
435 West 116th Street
New York, NY 10027
*Counsel for Amicus Curiae
Served via CM/ECF*

Deborah M. Murray
Morgan Butler
Southern Environmental Law Center
201 West Main Street, Suite 14
Charlottesville, VA 22902
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Elizabeth Gallaway
2596 South Lewis Way
Lakewood, CO 80227
*Counsel for Amicus Curiae
Served via CM/ECF*

Martin S. Kaufman
Atlantic Legal Foundation
2039 Palmer Avenue
Larchmont, NY 10538
*Counsel for Amici Curiae Atlantic Legal
Foundation
Served via CM/ECF*

Richard P. Hutchison
Landmark Legal Foundation
3100 Broadway, Suite 1210
Kansas City, MO 64111
*Counsel for Amicus Curiae Landmark
Legal Foundation
Served via CM/ECF*

Steven E. Mulder
Office of the Attorney General
State of Alaska, Department of Law
1031 West 4th Avenue, Suite 200
Room 310
Anchorage, AK 99501
*Counsel for Movant-Intervenor
Respondent
Served via CM/ECF*

Jon Bruning, Attorney General
Katherine J. Spohn
Office of Attorney General
State of Nebraska
2115 State Capitol Building
P.O. Box 98920
Lincoln, NE 68509-8920
*Counsel for Movant-Intevenor
Petitioner*

David S. Baron
Earthjustice
1625 Massachusetts Avenue, NW
#702
Washington, DC 20036-2212
*Counsel for Movant-Intervenor
Respondent*
Served via CM/ECF

All following counsel have been served via first-class postage prepaid mail:

Scott C. Oostdyk
McGuire Woods LLP
One James Center
901 East Cary Street
Richmond, VA 23219
Counsel for Petitioners
Via First-Class Mail

Neal J. Cabral
McGuire Woods LLP
Washington Square
1050 Connecticut Avenue, N.W.,
Suite 1200
Washington, DC 20036-5317
Counsel for Petitioners
Via First-Class Mail

Katie Sweeney
General Counsel
National Mining Association
101 Constitutional Avenue, N.W.,
Suite 500 East
Washington, DC 20001
Counsel for Petitioners
Via First-Class Mail

Daniel Quist
Assistant General Counsel
American Farm Bureau Federation
600 Maryland Avenue, S.W.,
Suite 1000
Washington, DC 22024
Counsel for Petitioners
Via First-Class Mail

Greg Abbott
Attorney General of Texas
Post Office Box 12548
Austin, TX 78711-2548
Counsel for Petitioners
Via First-Class Mail

Quentin Riegel
National Association of
Manufacturers
1331 Pennsylvania Avenue, N.W.
North Tower, Suite 1500
Washington, DC 20004-1790
Counsel for Petitioners
Via First-Class Mail

Alexander C. Schoch
Mary L. Frontczak
Peabody Energy Company
701 Market Street, 6th Floor
St. Louis, MO 63101
Counsel for Petitioners
Via First-Class Mail

Harry Moy Nq
American Petroleum Institute
1220 L Street, N.W.
Washington, DC 20005-4070
Counsel for Petitioners
Via First-Class Mail

Robert R. Gasaway
Kirkland & Ellis LLP
655 Fifteenth Street, N.W., Suite 1200
Washington, DC 20005
Counsel for Petitioners
Via First-Class Mail

Troy King
Robert D. Tambling
Office of the Attorney General
State of Alabama
500 Dexter Avenue
Montgomery, AL 36130
Counsel for Petitioners
Via First-Class Mail

William Orr
c/o Dr. Bonner Cohen
1600 North Oak Street, Apt. #617
Arlington, VA 22209
Pro se Petitioner
Via First-Class Mail

Kenneth T. Cuccinelli, II
Attorney General of Virginia
Office of the Attorney General
900 East Main Street
Richmond, VA 23219
Counsel for Petitioners
Via First-Class Mail

Michael R. Barr
Pillsbury Winthrop Shaw
Pittman LLP
50 Fremont Street
San Francisco, CA 94105-2228
Counsel for Petitioners
Via First-Class Mail
Charles E. James, Jr.
Chief Deputy Attorney General
Office of the Attorney General
900 East Main Street
Richmond, VA 23219
Counsel for Petitioners
Via First-Class Mail

Karen R. Harned
National Federation of Independent
Business
1201 F. Street, NW
Suite 200
Washington, DC 20004
Via First Class Mail

Gregory M. Scott
National Petrochemical and
Refiners Association
1667 K Street, N.W., Suite 700
Washington, DC 20006
Counsel for Petitioners
Via First-Class Mail

Stephen R. McCullough
Senior Appellate Counsel
Office of the Attorney General
900 East Main Street
Richmond, VA 23219
Counsel for Petitioners
Via First-Class Mail

Gordon R. Alphonso
McGuire Woods LLP
The Proscenium
1170 Peachtree Street, N.E.,
Suite 2100
Atlanta, GA 30309
Counsel for Petitioners
Via First-Class Mail

Virginia L.H. Nesbitt
McGuire Woods LLP
One James Center
901 East Cary Street
Richmond, VA 23219
Counsel for Petitioners
Via First-Class Mail

Sam Kazman
Hans Bader
Competitive Enterprise Institute
1899 L. Street, N.W., 12th Floor
Washington, DC 20036
Counsel for Petitioners
Via First-Class Mail

Cynthia A.M. Stroman
King & Spalding LLP
1700 Pennsylvania Avenue, N.W.
Washington, DC 20006
Counsel for Petitioners
Via First-Class Mail

Thomas J. Ward
Amy C. Chai
National Association of Home
Builders
1201 15th Street, N.W.
Washington, DC 20005
Counsel for Petitioners
Via First-Class Mail

Mark J. Bennett, Attorney General
Office of the Attorney General
Dept. of Agriculture
State of Hawaii
425 Queen Street
Honolulu, HI 96813
Counsel for Movant-Intervenor Petitioner
Via First-Class Mail

Jack Conway, Attorney General
Office of the Attorney General
Commonwealth of Kentucky
Capitol Suite 118
700 Capitol Avenue
Frankfort, KY 40601-3449
*Counsel for Movant-Intervenor
Petitioner*

Bill McCollum, Attorney General
Office of the Attorney General
State of Florida
The Capitol, PL-01
Tallahassee, FL 32399-1050
Counsel for Movant-Intervenor Petitioner
Via First-Class Mail

Gregory F. Zoeller, Attorney General
Office of the Attorney General
State of Indiana
302 W. Washington Street
IGC-South, Fifth Floor
Indianapolis, IN 46204
Counsel for Movant-Intervenor Petitioner
Via First-Class Mail

Wayne Stenehjem, Attorney General
Office of the Attorney General
State of North Dakota
600 E. Boulevard Avenue
Department 125
Bismarck, ND 58505
Counsel for Movant-Intervenor Petitioner
Via First-Class Mail

Mark L. Shurtleff, Attorney General
Office of the Attorney General
State of Utah
P.O. Box 142320
Salt Lake City, UT 84114-2320
Counsel for Movant-Intervenor Petitioner
Via First-Class Mail

Via First-Class Mail

W.A. Drew Edmondson
Attorney General
State of Oklahoma
313 NE 21st Street
Oklahoma City, OK 73105
*Counsel for Movant-Intervenor
Petitioner*

Via First-Class Mail

James D. "Buddy" Caldwell,
Attorney General
Office of the Attorney General
State of Louisiana
Department of Justice
1885 North Third Street
Baton Rouge, LA 70802
*Counsel for Movant-Intervenor
Petitioner*

Via First-Class Mail

Henry D. McMaster
Attorney General
Office of the Attorney General
State of South Carolina
Post Office Box 11549
Columbia, SC 29211
*Counsel for Movant-Intervenor
Petitioner*

Via First-Class Mail

Governor Haley Barbour
State of Mississippi
Post Office Box 139
Jackson, MS 39205-0139
*Counsel for Movant-Intervenor
Petitioner*

Via First-Class Mail

Richard Blumenthal, Attorney General
Kimberly P. Massicotte,
Assistant Attorney General
Matthew I. Levine,
Assistant Attorney General
Scott N. Koschwitz,
Assistant Attorney General
Office of the Attorney General
State of Connecticut
P.O. Box 120 (55 Elm Street)
Hartford, CT 06106-0120
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

Terry Goddard, Attorney General
Joseph P. Mikitish, Assistant Attorney Gen.
James T. Skardon, Assistant Attorney Gen.
Office of the Attorney General
State of Arizona
1275 W. Washington Street
Phoenix, AZ 85007
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

Lisa Madigan, Attorney General
Matthew J. Dunn,
Assistant Attorney General
Susan Hedman, Assistant Attorney General
Gerald T. Karr, Assistant Attorney General
Office of the Attorney General
State of Illinois
100 West Randolph Street

Lori Swanson, Attorney General
Steven M. Gunn,
Deputy Attorney General
Jocelyn F. Olson,
Assistant Attorney General
Office of the Attorney General
State of Minnesota
445 Minnesota Street
1100 NCL Tower
St. Paul, MN 55101-2128
*Counsel for Movant-Intervenor
Respondent*
Via First-Class Mail

Joseph R. Biden, III,
Attorney General
Valerie M. Satterfield,
Deputy Attorney General
Office of the Attorney General
State of Delaware
102 West Water Street, 3rd Floor
Dover, DE 19904
*Counsel for Movant-Intervenor
Respondent*
Via First-Class Mail

Gary K. King, Attorney General
Stephen R. Farris,
Assistant Attorney General
Seth T. Cohen,
Assistant Attorney General
Office of the Attorney General
State of New Mexico
P.O. Drawer 1508

Chicago, IL 60601
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

Michael A. Delaney, Attorney General
K. Allen Brooks,
Senior Assistant Attorney General
Office of the Attorney General
State of New Hampshire
33 Capitol Street
Concord, NH 03301-6397
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

Janet T. Mills, Attorney General
Gerald D. Reid, Assistant Attorney General
Office of the Attorney General
State of Maine
6 State House Station
Augusta, ME 04333-0006
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

Santa Fe, NM 87504
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

Michael A. Cordozo,
Corporate Counsel
Susan Kath
Carrie Noteboom
Christopher G. King
New York City Law Department
(6-143)
100 Church Street
New York, NY 10007
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

David Bookbinder
Craig Segall (Admission Pending)
Sierra Club
408 C Street, NE
Washington, DC 20002
Counsel for Movant-Intervenor Respondent
Via First-Class Mail

This 15th day of April, 2010.

/s/ EDWARD A. KAZMAREK
Edward A. Kazmarek
Attorney for Petitioners

Kazmarek Geiger & Laseter LLP
3490 Piedmont Road, NE, Suite 201
Atlanta, GA 30305
(404) 812-0840
Fax: (404) 812-0845
Email: skazmarek@kglattorneys.com