

2311 Douglas Street
Omaha, Nebraska 68102-1214

1-800-225-6964
(402) 342-2831
Fax: (402) 342-4850



E-Mail Address:
contact@cocklelegalbriefs.com

Web Site
www.cocklelegalbriefs.com

No. 17-71

WEYERHAEUSER COMPANY,
Petitioner,
v.
UNITED STATES FISH AND WILDLIFE SERVICE,
et al.,
Respondents.

AFFIDAVIT OF SERVICE

I, Patricia Billotte, of lawful age, being duly sworn, upon my oath state that I did, on the 13th day of August, 2018, send out from Omaha, NE 37 package(s) containing * copies of the RESPONDENTS MARKLE INTERESTS, LLC; P&F LUMBER COMPANY 2000, LLC; and PF MONROE PROPERTIES, LLC'S REPLY BRIEF ON THE MERITS in the above entitled case. All parties required to be served have been served by Priority Mail. Packages were plainly addressed to the following:

SEE ATTACHED

To be filed for:

DAMIEN M. SCHIFF
ANTHONY L. FRANÇOIS
OLIVER J. DUNFORD
Pacific Legal Foundation
930 G Street
Sacramento, CA 95814
Telephone: (916) 419-7111

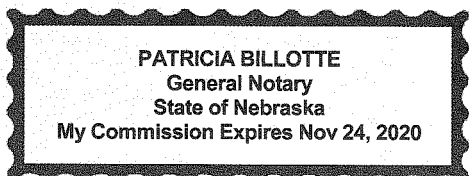
JONATHAN WOOD
Pacific Legal Foundation
3033 Wilson Blvd, Suite 700
Arlington VA 22201
Telephone: (202) 888-6881

MARK MILLER
Counsel of Record
CHRISTINA M. MARTIN
Pacific Legal Foundation
8645 N. Military Trail, Suite 511
Palm Beach Gardens, FL 33410
Telephone: (561) 691-5000
Facsimile: (561) 691-5006
Email: mm@pacificlegal.org

EDWARD B. POITEVENT, II
Stone Pigman Walther
Wittman LLC
909 Poydras Street, Suite 3150
New Orleans, LA 70130
Telephone: (504) 593-0889

Counsel for Respondents Markle Interests, LLC;
P&F Lumber Company 2000, LLC;
and PF Monroe Properties, LLC

Subscribed and sworn to before me this 13th day of August, 2018.
I am duly authorized under the laws of the State of Nebraska to administer oaths.



Patricia C. Billotte
Notary Public

Andrew H. Cockle
Affiant

SERVICE LIST

No. 17-71

WEYERHAEUSER COMPANY,
Petitioner,

v.

UNITED STATES FISH AND WILDLIFE SERVICE, et al.,
Respondents.

TIMOTHY S. BISHOP
MAYER BROWN, LLP
71 South Wacker Drive
Chicago, IL 60606
(312) 701-7829
tbishop@mayerbrown.com

*Counsel of Record for Petitioner
Weyerhaeuser Company
3 copies

NOEL J. FRANCISCO
SOLICITOR GENERAL
UNITED STATES
DEPARTMENT OF JUSTICE
Room 5616
950 Pennsylvania Ave., N.W.
Washington, DC 20530-0001
(202) 514-2217
SupremeCtBriefs@USDOJ.gov

*Counsel of Record for Respondents
United States Fish &
Wildlife Service; et al.
3 copies

JOHN THORVALD BUSE
CENTER FOR BIOLOGICAL DIVERSITY
1212 Broadway, Suite 800
Oakland, CA 94612
(510) 844-7125
jbuse@biologicaldiversity.org

*Intervenor-Respondents Center
for Biological Diversity and Gulf
Restoration Network
3 copies

DAVID THOMAS GOLDBERG STANFORD
LAW SCHOOL
SUPREME COURT LITIGATION CLINIC
559 Nathan Abbott Way
Stanford, CA 94305
(650) 498-8229
dgoldberg@law.stanford.edu

*Intervenor-Respondents Center
for Biological Diversity and Gulf
Restoration Network
3 copies

PAUL J. BEARD II
 ALSTON & BIRD LLP
 1121 L Street, Suite 700
 Sacramento, CA 95814
 (916) 498-3354
 Paul.beard@alston.com

*Counsel of Record for Amicus Curiae
 Building Industry Legal Defense Fund*
 *1 copy

SHAWN TERRY WELCH
 HOLLAND & HART, LLP
 222 South Main Street, Suite 2200
 Salt Lake City, UT 84101
 (801) 799-5800
 stwelch@hollandhart.com

*Counsel of Record for Amicus Curiae
 San Juan County, Utah*
 *1 copy

WILLAM PERRY PENDLEY
 MOUNTAIN STATES
 LEGAL FOUNDATION
 2596 South Lewis Way
 Lakewood, CO 80227
 (303) 292-2021
 wppendley@mountainstateslegal.com

*Counsel of Record for Amicus Curiae
 Mountain States Legal Foundation*
 *1 copy

ILYA SHAPIRO
 THE CATO INSTITUTE
 1000 Massachusetts Ave., N.W.
 Washington, DC 20001
 (202) 842-0200
 Ishapiro@cato.org

*Counsel of Record for Amicus Curiae
 The Cato Institute*
 *1 copy

BERNARD SEYMOUR SMITH
 ST. TAMMANY PARISH GOVERNMENT
 21454 Koop Dr., Suite 2 G
 Mandeville, LA 70471
 (985) 898-3427
 bssmith@stpgov.org

*Counsel of Record for Amicus Curiae
 St. Tammany Parish*
 *1 copy

JOHN C. EASTMAN
 CENTER FOR CONST'L JURISPRUDENCE
 c/o Fowler School of Law
 Chapman University
 One University Drive
 Orange, CA 92866
 (877) 855-3330
 jeastman@chapman.edu

*Counsel of Record for Amicus Curiae
 Center for Constitutional Jurisprudence*
 *1 copy

ANDREW L. BRASHER
 OFFICE OF THE ATTORNEY
 GENERAL OF ALABAMA
 501 Washington Avenue
 Montgomery, AL 36130
 (334) 242-7300
 abrasher@ago.state.al.us

*Counsel of Record for Amicus Curiae
 Alabama and 17 Additional States*
 *1 copy

SVEND ARNOLD BRANDT-ERICHSEN
 NOSSAMAN, LLP
 601 Union Street, Suite 5305
 Seattle, WA 98101
 (206) 395-7632
 sbrandterichsen@nossaman.com

*Counsel of Record for Amicus Curiae
 Energy and Wildlife Action Coalition*
 *1 copy

STEVEN JAMES LECHNER
 9830 Xavier Court
 Westminster, CO 80031
 (720) 936-8363
 Steven.j.lechner@gmail.com

*Counsel for
 Mountain States Legal Foundation*
 *1 copy.

RICHARD A. SAMP
 WASHINGTON LEGAL FOUNDATION
 2009 Massachusetts Ave., N.W.
 Washington, DC 20036-0000
 (202) 588-0302
 rsamp@wlf.org

*Counsel of Record for Amicus Curiae
 Washington Legal Foundation, et al.*
 *1 copy

AARON MICHAEL STREETT
 BAKER BOTTS, L.L.P.
 910 Louisiana Street
 Houston, TX 77002
 (713) 229-1234
 aaron.streett@bakerbotts.com

*Counsel of Record for Amicus Curiae
 Chamber of Commerce of the United
 States of America*
 *1 copy

TYSON CLINTON KADE
 VAN NESS FELDMAN, LLP
 1050 Thomas Jefferson Street, N.W.
 Seventh Floor
 Washington, DC 20007
 (202) 298-1800
 tck@vnf.com

*Counsel of Record for Amicus Curiae
 American Farm Bureau Federation, et
 al.*
 *1 copy

JOHN JOSEPH PARK, JR.
 STRICKLAND BROCKINGTON LEWIS, LLP
 1170 Peachtree Street, N.E., Suite 2200
 Atlanta, GA 30309
 (678) 347-2208
 jjp@sblaw.net

*Co-Counsel of Record for Amicus Curiae
 Southeastern Legal Foundation*
 *1 copy

THEODORE HADZI-ANTICH
 TEXAS PUBLIC POLICY FOUNDATION
 901 Congress Avenue
 Austin, TX 78701
 (512) 472-2700
 tha@texaspolicy.com

*Counsel of Record for Amicus Curiae
 National Federation of Independent
 Business, et al.*
 *1 copy

KIMBERLY STEWART HERMANN
 SOUTHEASTERN LEGAL FOUNDATION
 2255 Sewell Mill Road, Suite 320
 Marietta, GA 30062
 (770) 977-2131
 khermann@southeasternlegal.org

*Counsel of Record for Amicus Curiae
 Southeastern Legal Foundation*
 *1 copy

JASON CRAIG RYLANDER
 DEFENDERS OF WILDLIFE
 1130 17th Street NW
 Washington, DC 20001
 (202) 772-3245
 jrylander@defenders.org

*Counsel of Record for
 Defenders of Wildlife, et al.*
 *1 copy

HOPE MADELINE BABCOCK
 INSTITUTE FOR PUBLIC REPRESENTATION
 GEORGETOWN UNIVERSITY LAW CENTER
 600 New Jersey Avenue, NW
 Washington, DC 20001
 (202) 662-9481
 babcock@law.georgetown.edu

*Counsel of Record for Amicus Curiae
 Environmental Law Professors*
 *1 copy

STUART BANNER
 UCLA SCHOOL OF LAW
 Supreme Court Clinic
 405 Hilgard Avenue
 Los Angeles, CA 90095
 (310) 206-8506
 banner@law.ucla.edu

*Counsel of Record for Amicus Curiae
 Landowners*
 *1 copy

KAREN BUDD-FALEN
 BUDD-FALEN LAW OFFICES, LLC
 300 East 18th Street
 P.O. Box 346
 Cheyenne, WY 82003-0346
 (307) 632-5105
 karen@buddfalen.com

*Counsel of Record for Amicus Curiae
 Wyoming Stock Growers Ass'n, et al.*
 *1 copy

JOSEPH CARL CECERE
 CECERE, PC
 6035 McCommas Blvd.
 Dallas, TX 75206
 (469) 600-9455
 ccecere@cecerepc.com

*Counsel of Record for Amicus Curiae
 Small Business Owners*
 *1 copy

LOUIS A. CHAITEN
 JONES DAY
 901 Lakeside Avenue
 Cleveland, OH 44114
 (216) 586-7244
 lachaiten@jonesday.com

*Counsel of Record for Amicus Curiae for
 Center for Constitutional Jurisprudence*
 *1 copy

SEAN BERNARD HECHT
 UCLA SCHOOL OF LAW
 Frank G. Wells
 Environmental Law Clinic
 405 Hilgard Avenue
 Los Angeles, CA 90095
 (310) 794-5272
 hecht@law.ucla.edu

*Counsel of Record for Amicus Curiae
 Scientists*
 *1 copy

STEVEN TROY MARSHALL
OFFICE OF THE ATTORNEY GENERAL
501 Washington Avenue
Montgomery, AL 36104
(334) 242-7300
mnewman@ago.state.al.us

*Counsel of Record for Amicus Curiae
Alabama and 19 Additional States*
*1 copy

DANIEL J. O'HANLON
KRONICK MOSKOVITZ TIEDEMANN &
GIRARD
400 Capitol Mall, 27th Floor
Sacramento, CA 95814
(916) 321-4500
dohanlon@kmtg.com

*Counsel of Record for Amicus Curiae
Coalition for a Sustainable Delta, et al.*
*1 copy

ANN ELIZABETH PREZYNA
LANE POWELL PC
1420 Fifth Avenue
Suite 4200
Seattle, WA 98101-2375
(206) 223-7000
prezynaa@lanepowell.com

*Counsel of Record for Amicus Curiae
Former Department of the Interior
Officials*
*1 copy

RICHARD L. REVESZ
NEW YORK UNIVERSITY SCHOOL OF LAW
40 Washington Square South
New York, NY 10012-0000
(212) 998-6185
Richard.revesz@nyu.edu

*Counsel of Record for Amicus Curiae
Institute for Policy Integrity at
New York University School of Law*
*1 copy

ANDREW JACOB TURNER
HUNTON ANDREWS KURTH LLP
2200 Pennsylvania Avenue, N.W.
Washington, DC 20037
(202) 955-1658
aturner@huntonak.com

*Counsel for Amicus Curiae American
Exploration & Production Council, Inc.*
*1 copy

JOHN JULIAN VECCHIONE
CAUSE OF ACTION INSTITUTE
1875 Eye Street, N.W.
Suite 800
Washington, DC 20006
(202) 603-7372
john.vecchione@causeofaction.org

*Counsel of Record for Amicus Curiae
Cause of Action Institute*
*1 copy

THOMAS JON WARD
NATIONAL ASSOCIATION OF HOME
BUILDERS
1201 15th Street, N.W.
Washington, DC 20005
(202) 266-8200
tward@nahb.org

*Counsel of Record for Amicus Curiae
National Association of Home Builders,
et al.*
*1 copy

IAN S. WEINSTEIN
LINCOLN SQUARE LEGAL SERVICES, INC.
150 West 62nd Street
New York, NY 10023
(212) 636-6934
lweinstein@lsls.fordham.edu

*Counsel of Record for Amicus Curiae
The Evangelical Environmental
Network, et al.*
*1 copy

BRYAN KIPP WEIR
CONSOVOY MCCARTHY PARK PLLC
3033 Wilson Boulevard, Suite 700
Arlington, VA 22201
(202) 725-5032
bryan@consovoymccarthy.com

*Counsel of Record for Amicus Curiae
National Conference of
State Legislatures, et al.*
*1 copy

LISA W. JORDAN
TULANE ENVIRONMENTAL LAW CLINIC
6329 Freret Street, Suite 130
New Orleans, LA 70118
(504) 314-2481
lwjordan@tulane.edu

*Counsel of Record for Amicus Curiae
Gopher Frog Experts*
*1 copy

AMY JOELLE WILDERMUTH
3900 Forbes Avenue
Pittsburgh, PA 15620
(801) 913-4608
Amy.wildermuth@pitt.edu

*Counsel of Record for Amicus Curiae
Economists and Law Professors*
*1 copy