

FILED

UNITED STATES COURT OF APPEALS

OCT 20 2014

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SIERRA FOREST LEGACY; et al.,

Plaintiffs - Appellants,

v.

ANN MILLS, in her official capacity as
Acting Under Secretary for Natural
Resources and Environment, US
Department of Agriculture; et al.,

Defendants - Appellees,

AMERICAN FOREST & PAPER
ASSOCIATION; et al.,

Intervenor-Defendants -
Appellees.

No. 13-16105

D.C. No. 2:05-cv-00205-MCE-
GGH

Eastern District of California,
Sacramento

ORDER

The court is in receipt of appellant's Motion to Dismiss Appeal. The court construes the motion to be a motion to dismiss without prejudice to reinstatement as specified in paragraphs 1-15 to the parties' settlement agreement appended to the referenced motion. Cir. R. 27-7, General Orders, Appendix A (45). Notice of reinstatement must be filed within 28 days after the alleged breach.

The parties agree that notwithstanding the foregoing, the appeal will be deemed dismissed with prejudice on May 13, 2016.

The parties further agree to bear their own costs and fees on appeal, subject to paragraph 15 to the settlement agreement.

A copy of this order shall serve as and for the mandate of this court.

FOR THE COURT:

By: Lisa Jaye
Circuit Mediator

lj/mediation