

1 ROBIN L. RIVETT, No. 67293
 DAMIEN M. SCHIFF, No. 235101
 2 Pacific Legal Foundation
 3900 Lennane Drive, Suite 200
 3 Sacramento, California 95834
 Telephone: (916) 419-7111
 4 Facsimile: (916) 419-7747
 5 Attorneys for Plaintiffs/Appellants

6
 7
 8 SUPERIOR COURT OF CALIFORNIA
 9 COUNTY OF SACRAMENTO
 10

11 CALIFORNIA FORESTRY ASSOCIATION, et al.,)
 12 Petitioners and Plaintiffs,)
 13 v.)
 14 CALIFORNIA FISH & GAME COMMISSION; and)
 CALIFORNIA DEPARTMENT OF FISH & GAME,)
 15 Respondents and Defendants,)
 16 CALIFORNIA TROUT, INC.; PACIFIC COAST)
 17 FEDERATION OF FISHERMEN'S ASSOCIATIONS;)
 and NORTHCOAST ENVIRONMENTAL CENTER,)
 18 Defendant Intervenors.
 19

No. 05CS00948

**NOTICE OF APPEAL, NOTICE
 TO PROCEED WITHOUT
 REPORTER'S TRANSCRIPT,
 AND NOTICE OF ELECTION
 TO PROCEED BY APPENDIX**

PACIFIC LEGAL FOUNDATION
 3900 Lennane Drive, Suite 200
 Sacramento, CA 95834
 (916) 419-7111 FAX (916) 419-7747

20
 21
 22 TO THE CLERK OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR
 23 THE COUNTY OF SACRAMENTO:

24 Notice is hereby given, pursuant to Rule 2(a) of the California Rules of Court, that
 25 Petitioners and Plaintiffs California Forestry Association, California Cattlemen's Association,
 26 ///
 27 ///
 28 ///

1 California State Grange, and Forest Landowners of California appeal to the Court of Appeal,
2 Third Appellate District, from the judgment entered on August 30, 2006, in favor of Respondents
3 and Defendants.

4 Notice is also hereby given, pursuant to California Rule of Court 4(a)(1), that Petitioners
5 and Plaintiffs intend to proceed without a reporter's transcript.

6 Notice is also hereby given, pursuant to California Rule of Court 5.1(a)(1), that Petitioners
7 and Plaintiffs elect to proceed by an appendix instead of a clerk's transcript.

8 These notices are combined pursuant to California Rule of Court 5.1(a)(2).

9 DATED: October 10, 2006.

10 Respectfully submitted,

11 ROBIN L. RIVETT
12 DAMIEN M. SCHIFF

13 By 
14 DAMIEN M. SCHIFF

15 Attorneys for Petitioners/Plaintiffs
16
17
18
19
20
21
22
23
24
25
26
27
28

PACIFIC LEGAL FOUNDATION
3900 Lennane Drive, Suite 200
Sacramento, CA 95834
(916) 419-7111 FAX (916) 419-7747

1 **DECLARATION OF SERVICE**

2 I, Tawnda Elling, declare as follows:

3 I am a resident of the State of California, residing or employed in Sacramento, California.

4 I am over the age of 18 years and am not a party to the above-entitled action.

5 My business address is 3900 Lennane Drive, Suite 200, Sacramento, California.

6 On October 10, 2006, true copies of NOTICE OF APPEAL, NOTICE TO PROCEED
7 WITHOUT REPORTER'S TRANSCRIPT, AND NOTICE OF ELECTION TO PROCEED BY
8 APPENDIX were placed in envelopes addressed to:

9 John S. Poulos
10 Christopher R. Rodriguez
11 Pillsbury Winthrop Shaw Pittman LLP
12 400 Capitol Mall, Suite 1700
13 Sacramento, CA 95814

14 Wayne M. Whitlock
15 Pillsbury Winthrop Shaw Pittman LLP
16 2475 Hanover Street
17 Palo Alto, CA 94304-1115

18 Matthew J. Goldman
19 Deputy Attorney General
20 California Attorney General's Office
21 1300 I Street
22 Sacramento, CA 94244-2550

23 J. William Yeates
24 Keith G. Wagner
25 Jason R. Flanders
26 Law Office of J. William Yeates
27 3400 Cottage Way, Suite K
28 Sacramento, CA 95825

which envelopes, with postage thereon fully prepaid, were then sealed and deposited in a mailbox regularly maintained by the United States Postal Service in Sacramento, California.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 10th day of October, 2006, at Sacramento, California.


TAWNDA ELLING

PACIFIC LEGAL FOUNDATION
3900 Lennane Drive, Suite 200
Sacramento, CA 95834
(916) 419-7111 FAX (916) 419-7747