

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 12-4160

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MINARD RUN OIL COMPANY;  
PENNSYLVANIA INDEPENDENT OIL AND GAS ASSOCIATION;  
ALLEGHENY FOREST ALLIANCE;  
COUNTY OF WARREN, PENNSYLVANIA

v.

UNITED STATES FOREST SERVICE, an agency of the U.S. Department of  
Agriculture; ABIGAIL R. KIMBELL, in her official capacity as Chief of the U.S. Forest  
Service; KENT P. CONNAUGHTON, in his official capacity as Regional Forester for  
the U.S. Forest Service, Eastern Region; LEANNE M. MARTEN, in her official capacity  
as Forest Supervisor for the Allegheny National Forest;  
ATTORNEY GENERAL UNITED STATES OF AMERICA;  
FOREST SERVICE EMPLOYEES FOR ENVIRONMENTAL ETHICS;  
ALLEGHENY DEFENSE PROJECT; SIERRA CLUB  
  
ALLEGHENY DEFENSE PROJECT; SIERRA CLUB,  
Appellants

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On Appeal from the United States District Court  
for the Western District of Pennsylvania  
(District Court No.: 1-09-cv-00125)  
District Judge: Honorable Sean J. McLaughlin

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Argued September 22, 2013

Before: RENDELL, JORDAN and GREENAWAY, JR., Circuit Judges

**JUDGMENT**

This case came on to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued under Third Circuit LAR 34.1(a) on September 12, 2013.

On consideration whereof, it is now here

**ORDERED and ADJUDGED** by this Court that the Judgment of the District Court entered September 6, 2012, be and the same, is hereby affirmed. Costs taxed against the appellant.

All of the above in accordance with the Opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

Dated: September 26, 2013

OFFICE OF THE CLERK

MARCIA M. WALDRON

CLERK



**UNITED STATES COURT OF APPEALS**

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September 26, 2013

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RE: Minard Run Oil Company v. US Forest Ser  
Case Number: 12-4160  
District Case Number: 1-09-cv-00125

ENTRY OF JUDGMENT

Today, **September 26, 2013** the Court entered its judgment in the above-captioned matter pursuant to Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Page Limits:

15 pages

Attachments:

A copy of the panel's opinion and judgment only. No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. If separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to a combined 15 page limit. If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

A party who is entitled to costs pursuant to Fed.R.App.P. 39 must file an itemized and verified bill of costs within 14 days from the entry of judgment. The bill of costs must be submitted on the proper form which is available on the court's website.

A mandate will be issued at the appropriate time in accordance with the Fed.R.App.P. 41.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,



Marcia M. Waldron, Clerk



Christina M. Koperna, Case Manager

267-299-4930

