

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CITY OF PHILADELPHIA,

Plaintiff,

v.

DOUG BURGUM, SECRETARY OF THE
INTERIOR; UNITED STATES
DEPARTMENT OF THE INTERIOR;
JESSICA BORWON, ACTING DIRECTOR
OF THE NATIONAL PARK SERVICE; and
NATIONAL PARK SERVICE, UNITED
STATES DEPARTMENT OF THE
INTERIOR,

Defendants.

Case No. 26-cv-434

NOTICE OF APPEAL

Defendants hereby appeal this Court's February 16, 2026 memorandum opinion (ECF No. 53) and order (ECF No. 54) to the United States Court of Appeals for the Third Circuit.

Dated: February 17, 2026

BRETT A. SHUMATE
Assistant Attorney General
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MICHAEL VELCHIK
Senior Counsel to the Assistant
Attorney General

Respectfully submitted,

DAVID METCALF
United States Attorney

/s/ Gregory B. David

GREGORY B. DAVID
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/s/ Gregory B. in den Berken

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Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on February 17, 2026, a true and correct copy of Defendants' Notice of Appeal was filed electronically via the Court's CM/ECF system and served via CM/ECF on all counsel of record.

/s/ Gregory B. in den Berken
GREGORY B. IN DEN BERKEN