

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE**

APPEAL COVER SHEET

D.C. # 1:22-cv-416-LEW	C.C.A. #		
CASE TITLE: Association to Preserve and Protect Local Livelihoods, <i>et al</i> v. Town of Bar Harbor, <i>et al</i>			
Name of Counsel for Appellant(s):	<i>Association to Preserve and Protect Local Livelihoods ("APPLL"), B.H. Piers, L.L.C. ("BH Piers"), Golden Anchor, L.C., doing business as Harborside Hotel ("Harborside"), B.H.W.W., L.L.C. ("BHWW"), Delray Explorer Hull 495 LLC ("495"), Delray Explorer Hull 493 LLC ("493"), and Acadia Explorer 492, LLC ("492")</i> Timothy C. Woodcock P. Andrew Hamilton Patrick W. Lyons		
Name of Counsel for Appellee(s):	<i>Town of Bar Harbor</i> Jonathan P. Hunter Stephen W. Wagner <i>Charles Sidman</i> Robert Papazian Richard P. Olson David P. Silk		
Name of Judge:	Lance E. Walker		
Court Reporter(s) & Dates:	Cathy Ford 7/11 – 13/2023		
Transcript Ordered?	<input checked="" type="checkbox"/>	Yes	No
Court Appointed Counsel?		Yes	<input checked="" type="checkbox"/> No
Fees Paid?	<input checked="" type="checkbox"/>	Yes	No
In Forma Pauperis?		Yes	<input checked="" type="checkbox"/> No
Motions Pending?		Yes	<input checked="" type="checkbox"/> No
Guidelines Case?		Yes	<input checked="" type="checkbox"/> No
Related Case on Appeal?		Yes	<input checked="" type="checkbox"/> No
C.C.A. # (if available)			
Date of Last Appeal:			
Special Comments:			

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

ASSOCIATION TO PRESERVE AND)
PROTECT LOCAL LIVELIHOODS, *et al.*)

Plaintiffs,)

Civil Action No. 1:22-cv-416-LEW

PENOBSCOT BAY AND RIVER PILOTS)
ASSOCIATION,)

Plaintiff-Intervenor,)

v.)

TOWN OF BAR HARBOR, a municipal)
corporation of the State of Maine,)

Defendant.)

CHARLES SIDMAN,)

Defendant-Intervenor.)

NOTICE OF APPEAL

Pursuant to Fed. R. App. P. 3 and 28 U.S.C. § 1292(a)(1), Plaintiffs, Association to Preserve and Protect Local Livelihoods (“APPLL”), B.H. Piers, L.L.C. (“BH Piers”) and Golden Anchor, L.C., doing business as Harborside Hotel (“Harborside”) (together, “Pier Owners”), B.H.W.W., L.L.C. (“BHW”) , Delray Explorer Hull 495 LLC (“495”), Delray Explorer Hull 493 LLC (“493”), and Acadia Explorer 492, LLC (“492” and (together, “Tender Owners”) (herein, APPLL, the Pier Owners, and the Tender Owners are referred to collectively as “Plaintiffs”), hereby appeal to the United States Court of Appeals for the First Circuit from this Court’s final Decision and Order, as Amended (ECF No. 206) entered on March 1, 2024.

Dated at Bangor, Maine this 29th day of March, 2024.

/s/Timothy C. Woodcock

Timothy C. Woodcock, Bar No. 1663

P. Andrew Hamilton, Bar No. 2933

Patrick W. Lyons, Bar No. 5600

EATON PEABODY

80 Exchange Street (04401)

Post Office Box 1210

Bangor, Maine 04402-1210

(207) 992-0111

twoodcock@eatonpeabody.com

ahamilton@eatonpeabody.com

plyons@eatonpeabody.com

jgau@eatonpeabody.com

CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2024, the foregoing was electronically filed with the Clerk of this Court using the CM/ECF system, which will send notification of such filing to all counsel of record as follows:

/s/Timothy C. Woodcock

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE**

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CASE TITLE: Association to Preserve and Protect Local Livelihoods, <i>et al</i> v. Town of Bar Harbor, <i>et al</i>			
Name of Counsel for Appellant(s):	<i>Penobscot Bay and River Pilots Association</i> Kathleen E. Kraft C. Jonathan Benner John Kingston		
Name of Counsel for Appellee(s):	<i>Town of Bar Harbor</i> Jonathan P. Hunter Stephen W. Wagner <i>Charles Sidman</i> Robert Papazian		
Name of Judge:	Lance E. Walker		
Court Reporter(s) & Dates:	Cathy Ford 7/11 – 13/2023		
Transcript Ordered?	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Court Appointed Counsel?	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> X No
Fees Paid?	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
In Forma Pauperis?	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> X No
Motions Pending?	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> X No
Guidelines Case?	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> X No
Related Case on Appeal?	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> X No
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Plaintiffs,)

PENOBSCOT BAY AND RIVER PILOTS)
ASSOCIATION,)

Plaintiff-Intervenor,)

v.)

Civil Action No. 1:22-cv-416-LEW

TOWN OF BAR HARBOR, a municipal)
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Defendant,)

CHARLES SIDMAN,)

Defendant-Intervenor.)

NOTICE OF APPEAL

Pursuant to Fed. R. App. P. 3 and 28 U.S.C. § 1292(a)(1), Plaintiff-Intervenor Penobscot Bay and River Pilots Association hereby appeals to the United States Court of Appeals for the First Circuit from this Court's final Decision and Order, as Amended (ECF No. 206) entered on March 1, 2024.

Dated: March 29, 2024

Twain Braden
Archipelago LLC
One Dana Street, 4th Floor
Portland, ME 04101
(207) 558-0102
tbraden@archipelagona.com

/s/ Kathleen Kraft

C. Jonathan Benner (*pro hac vice*)
Kathleen E. Kraft (*pro hac vice*)
Thompson Coburn LLP
1909 K Street N.W., Suite 600
Washington, D.C. 20006
(202) 585-6900 (main)
(202) 585-6969 (fax)
kkraft@thompsoncoburn.com
jbenner@thompsoncoburn.com

John Kingston (*pro hac vice*)
Thompson Coburn LLP
One U.S. Bank Plaza
St. Louis, Missouri 63101
(314) 552-6000 (main)
(314) 552-7000 (fax)
jkingston@thompsoncoburn.com

*Attorneys for Plaintiff-Intervenor Penobscot
Bay and River Pilots Association*

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of March, 2024, I caused the foregoing document to be served upon all counsel of record via the Court's CM/ECF system.

/s/ Kathleen E. Kraft