STATE OF MAINE
MAINE SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT

Docket No. Ken-25-465

BARBARA FRAUMENI and A. MICHAEL FRAUMENI,

Petitioners-Appellants,

v.

DEPARTMENT OF ENVIRONMENTAL PROTECTION and MTN SAND & GRAVEL,

Respondents-Appellees.

REPLY BRIEF OF PETITIONERS-APPELLANTS BARBARA FRAUMENI and A. MICHAEL FRAUMENI

APPEAL OF ENTRY OF ORDER ON PETITIONERS' RULE 80C APPEAL BY KENNEBEC COUNTY SUPERIOR COURT

Russell B. Pierce, Jr., Esq. - Bar No. 7322
David A. Goldman, Esq. - Bar No. 4121
NORMAN, HANSON & DETROY, LLC
220 Middle Street
P.O. Box 4600
Portland, ME 04112-4600
(207) 774-7000
rpierce@nhdlaw.com
dgoldman@nhdlaw.com

Attorneys for Petitioners-Appellants

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES 2

I. INTRODUCTION 5

II. MDEP'S REQUIREMENT TO MAKE SUFFICIENT WRITTEN FACTUAL FINDINGS AND LEGAL CONCLUSIONS CANNOT BE WAIVED 6

III. THE PLACARD CONTAINS NO INDICATION OF THE BASIS FOR MDEP'S DECISION, AND COMMENTS MADE BY INDIVIDUALS IN E-MAILS ARE NOT INCORPORATED INTO THAT DECISION 9

IV. WHILE MDEP'S REVIEW OF QUARRY APPLICATIONS MAY BE "STREAMLINED," IT IS NOT SUBSTANTIVELY NONEXISTENT 10

V. MDEP WAS WITHOUT AUTHORITY TO APPROVE A QUARRY IN AN AREA LISTED BY MNAP WITHOUT MEETING NRPA STANDARDS 16

CONCLUSION 20

TABLE OF AUTHORITIES

FEDERAL CASES

Securities & Exchange Commission v. Chenery Corporation, 332 U.S. 194 (1947) 7, 8

FEDERAL STATUTES

16 U.S.C. § 703 5

16 U.S.C. § 712 5

FEDERAL ADMINISTRATIVE REGULATIONS

50 C.F.R. 226.217 5

STATE CASES

Adams v. Town of Brunswick, 2010 ME 7, 987 A.2d 502 14

Bailey v. Department of Marine Resources, 2015 ME 128, 124 A.3d 1125 9

Carroll v. Town of Rockport, 2003 ME 135, 837 A.2d 148 9

Christian Fellowship & Renewal Ctr. v. Town of Limington, 2001 ME 16, 769 A.2d 834 8

Clark v. Town of Phippsburg, 2025 ME 25, 334 A.3d 623 16

Doe v. Regional School Unit 26, 2014 ME 11, 86 A.3d 600 10

Harrington v. Inhabitants of Town of Kennebunk, 459 A.2d 557 (Me. 1983) 7

In re Maine Motor Rate Bureau, 357 A.2d 518, 527 (Me. 1976) 7, 8

LaMarre v. Town of China, 2021 ME 45, 259 A.3d 764 8

MacImage of Maine, LLC v. Androscoggin County, 2012 ME 44, 40 A.3d 975 18

Narowetz v. Board of Dental Practice, 2021 ME 46, 259 A.3d 771 7

Ram's Head Partners, LLC v. Town of Cape Elizabeth, 2003 ME 131, 834 A.2d 916 8

State v. Santerre, 2023 ME 63, 301 A.3d 1244 14

Strout v. Cent. Maine Med. Ctr., 2014 ME 77, 94 A.3d 786 17

Utsch v. Dep't of Env't Prot., 2024 ME 10, 314 A.3d 125 9

STATE STATUTES

12 M.R.S § 6505-A 9

38 M.R.S. § 348 16

38 M.R.S. § 480-a 5

38 M.R.S. § 480-KK 5

38 M.R.S. § 490-AA 16

38 M.R.S. § 490-Y 10, 11, 12, 13, 14, 15

38 M.R.S. § 490-Z 5, 11, 14, 15, 16, 17, 18

MISCELLANEOUS

Black’s Law Dictionary (8th ed. 2004) 19

I. INTRODUCTION.

It is important to remember, as the Court makes its way through the technical procedural arguments that are central to this matter on appeal, that what the land use applicant, MTN[1], is seeking permission to do is to blast and dig a seven story deep canyon by a river, the size of five football fields, in an area officially designated by the State as a protected natural ecological resource. The area is also within the critical habitat for the Gulf of Maine distinct population segment of Atlantic Salmon, 50 C.F.R. 226.217, and is the documented home to bird species protected under the U.S. Migratory Bird Treaty Act,[2] 16 U.S.C. § 703-712. The MDEP statute, 38 M.R.S. § 490-Z(1), expressly requires – rightly so – that an applicant seeking authorization to engage in such environmentally impactful behavior comply with the Maine Natural Resources Protection Act ("NRPA"), 38 M.R.S. §§ 480-a-480-KK, to meet regulatory criteria and permission to permanently alter the landscape and, resultingly, destroy habitat. MDEP and MTN both agree that MTN failed to apply for permission under NRPA, as required.

MDEP and MTN argue that none of the above matters because MDEP has

---

[1] All terms defined in the Fraumenis' initial brief on appeal shall have the same meaning herein.

[2] For instance, there is bald eagle nesting documented on site, and MNAP recognizes in its published material that, with respect to the Focus Area of which the MTN Property is a part, "[n]umerous imperiled species of animals have been documented in the Focus Area, and it contains some of the state's best habitat for bald eagles." (A. 177.)

chosen to interpret its quarry permitting authority to be so limited as to eliminate any substantive consideration of whether an applicant's proposal meets statutory requirements. Instead, in their view, MDEP is required to rubber stamp approvals of any quarry permit application so long as an applicant provides information that is facially responsive to what is asked for by MDEP's application form, subject to no substantive review by MDEP as to either the accuracy of the information provided, or the extent to which that information, even if accurate, demonstrates compliance with statutorily mandated criteria. MDEP and MTN compound the toothlessness of their view of the quarry permit application process by arguing that the resulting decisions are exempt from the requirement that they be in writing and contain sufficient factual findings and conclusions of law to enable meaningful judicial review. The Court should not give its imprimatur to this kind of cursory and inscrutable review process.

II. MDEP'S REQUIREMENT TO MAKE SUFFICIENT WRITTEN FACTUAL FINDINGS AND LEGAL CONCLUSIONS CANNOT BE WAIVED.

It is beyond peradventure that MDEP's placard authorizing MTN's quarrying operations constitutes a conditional land use permitting decision that, by its plain terms, must be made in writing in a manner that articulates the findings of fact supporting that decision in a sufficiently detailed fashion to explain the basis upon which the decision was made. This Court has repeatedly emphasized that

written findings of fact supporting administrative decisions are "an indispensable prerequisite to effective judicial review [of] an agency's decision . . . ." *See Narowetz v. Board of Dental Practice*, 2021 ME 46, ¶ 17, 259 A.3d 771; *see also Harrington v. Inhabitants of Town of Kennebunk*, 459 A.2d 557, 562 (Me. 1983).

MTN and MDEP assert that the Fraumenis waived their right to argue this point by failing to raise it at the Superior Court level. This argument ignores that the requirement to make sufficient factual findings to allow for adequate judicial review is so fundamental that this Court would be well within its authority to, *sua sponte*, rest its decision on this basis regardless of whether it had ever been raised by the parties.

Going back to the root of this Court's jurisprudence on the need for adequate administrative agency fact finding, this Court has been clear that "in dealing with a determination or judgment which an administrative agency alone is authorized to make, (a court) must judge the propriety of such action solely by the grounds invoked by the agency." *In re Maine Motor Rate Bureau*, 357 A.2d 518, 527 (Me. 1976) (quoting *Securities & Exchange Commission v. Chenery Corporation*, 332 U.S. 194, 196 (1947)). When "those grounds are inadequate or improper, *the court is powerless to affirm the administrative action* by substituting what it considers to be a more adequate or proper basis. To do so would propel the court into the domain . . . set aside exclusively for the administrative agency." *Id.* (quoting

Securities & Exchange Commission v. Chenery Corporation, 332 U.S. at 196) (alterations in original) (emphasis added).

This Court went on to further recognize that an "important corollary of the foregoing rule" is that "[i]f the administrative action is to be tested by the basis upon which it purports to rest, that basis must be set forth with such clarity as to be understandable." *Id.* (quoting *Securities & Exchange Commission v. Chenery Corporation*, 332 U.S. at 196). Thus, this Court considers it a basic prerequisite to meaningful judicial review of any kind that administrative agencies issue detailed written decisions. *See, e.g., Ram's Head Partners, LLC v. Town of Cape Elizabeth*, 2003 ME 131, ¶ 16, 834 A.2d 916 ("Meaningful judicial review of an agency decision is not possible without findings of fact sufficient to apprise the court of the decision's basis.") This principle is black letter law. *See LaMarre v. Town of China*, 2021 ME 45, ¶ 6, 259 A.3d 764 ("It is black letter law that meaningful judicial review of a decision *requires* that the decision contain findings of fact sufficient to apprise the reviewing court of the decision's basis and that those findings be based on substantial evidence in the record.") (emphasis added).

The Court has an independent duty to ensure that administrative agencies follow statutory requirements and this Court's own instructions mandating that agencies issue adequate written findings in support of their decisions. *See Christian Fellowship & Renewal Ctr. v. Town of Limington*, 2001 ME 16, ¶ 18,

769 A.2d 834 ("Courts, in reviewing agency decisions, should hold agencies accountable to follow statutory requirements . . . .")

MDEP failed to follow the law in articulating its decision through a placard that makes no factual findings supporting the decision represented therein. For that reason alone, MDEP's decision should be vacated.[3]

III. THE PLACARD CONTAINS NO INDICATION OF THE BASIS FOR MDEP'S DECISION, AND COMMENTS MADE BY INDIVIDUALS IN E-MAILS ARE NOT INCORPORATED INTO THAT DECISION.

In recognition that MDEP's placard authorizing MTN's quarry contains no factual findings, MDEP and MTN assert that comments made by individual MDEP and MNAP officials supplement and are incorporated into MDEP's decision to explain the grounds upon which that decision was made. This is incorrect.

This Court has been clear in orders arising from both municipal permitting decisions and State agency permitting decisions that correspondence by individual agency employees is not properly considered to be part of a "decision" on appeal. *See Carroll v. Town of Rockport*, 2003 ME 135, ¶ 28, 837 A.2d 148 (review must be restricted to passing on the propriety of the "statement of the decision-maker's findings, not the views of individual members of the decision-making agency"), *Utsch v. Dep't of Env't Prot.*, 2024 ME 10, ¶ 18, 314 A.3d 125 (recognizing that a

[3] MDEP's analogy of this case to *Bailey v. Department of Marine Resources*, 2015 ME 128, 124 A.3d 1125, an elver fishing quota case where "issuance of the card" itself was sufficient to resolve all factual questions, without need for a detailed written decision, is inapposite. Elver fishing quotas, unlike quarry permits, are determined by mathematical formulas. *See* 12 M.R.S § 6505-A.

"mining coordinator's email is not a final agency action" and collecting foreign jurisdiction cases recognizing that agency officials' e-mails are not part of an agency's decision on appeal).

The placard authorizing MTN's quarry provides no written factual findings or legal conclusions flowing therefrom. MDEP's decision authorizing MTN's quarry, therefore, is inadequate to provide for meaningful judicial review.

IV. WHILE MDEP'S REVIEW OF QUARRY APPLICATIONS MAY BE "STREAMLINED," IT IS NOT SUBSTANTIVELY NONEXISTENT.

Consistent with their attempt to read out of existence MDEP's requirement to issue a written decision articulating the bases for quarry approvals, MTN and MDEP lean heavily on their characterization of the quarry permitting statute as "unique" and providing for a "streamlined" approach to read out of existence MDEP's duty to engage in any substantive review at all of quarry permit applications. Rather, in MTN and MDEP's view, so long as a quarry applicant fills in MDEP's form in a matter that provides the information called for by 38 M.R.S. § 490-Y, MDEP is required to accept those characterizations as true and issue a placard authorizing the quarry applicant's plans. This reading of the statute, with the associated removal of MDEP from any substantive role in the quarry approval process, is absurd, inimical to the public interest, and should be rejected. *See Doe v. Regional School Unit 26*, 2014 ME 11, ¶ 15, 86 A.3d 600.

The statutory framework governing MTN's quarry application includes a

requirement that MTN's NOITC include a statement "certifying that the quarry will be operated in compliance with this article". *See* 38 M.R.S. § 490-Y(6). The requirements contained in Title 38, Chapter 3, Subchapter 1, Article 8-A, which includes 38 M.R.S. § 490-Y and which provides for detailed performance standards that quarries must meet, includes that the "[a]ffected land may not be located in, on or over a significant wildlife habitat or other type of protected natural resource, as defined in section 480-B, or in an area listed pursuant to the Natural Areas Program, Title 12, section 544." 38 M.R.S. § 490-Z(1). This facial prohibition on locating quarries in MNAP listed areas is itself subject to the qualification that "[t]he department may allow excavation to occur under this section as long as a permit is obtained pursuant to article 5-A ." *Id.* Article 5-A is where the NRPA is housed.

The Fraumenis contend that the MTN Property is located in an area "listed" by MNAP and, therefore, cannot serve as the location for a quarry pursuant to 38 M.R.S. § 490-Z absent compliance with NRPA standards. MTN claims that its property is not so "listed" and has made no attempt to comply with the NRPA. Consistent with its view that its quarry will not be located in a "listed" area and that no NRPA compliance is, therefore, necessary, MTN indicated on its NOITC that MTN complies with Article 8-A's requirements. Pursuant to MTN and MDEP's argument, that is where the analysis ends, with MDEP required to credit

fully MTN's bare assertion of compliance with all legal requirements without any independent duty to analyze the truth of that statement.

In support of this proposed neutering of MDEP's role in the quarry permitting process, MDEP and MTN rely on the plain language of the statute and the intent behind the "unique" nature of the "streamlined" approach to quarry permit applications the statute provides.

With respect to the statutory language, 38 M.R.S. § 490-Y states that the applicable review of a notice of intent to comply is to determine whether that document is "complete." MTN and MDEP focus on further portions of the statute stating that "[a] notice of intent to comply is not complete unless it includes," among other things, the affirmation regarding compliance with legal mandates imposed by Article 8-A. *Id.* The statute then states that if MDEP "determines that a notice under this section is not complete, the department must notify the owners or operator" of that determination within a specified period of time. *Id.*

What this crimped reading of the statute omits is the remainder of 38 M.R.S. § 490-Y, requiring the notice to be "mailed to the municipality where the quarry is located, the department, the Maine Historic Preservation Commission and each abutting property owner." *Id.* The notices that are "mailed to the municipality and each abutting property owner must be sent by certified mail at least 7 days before the notice of intent to comply is filed with the regulator." *Id.* With it thus assured

that interested parties are likely to receive their notices before a notice of intent to comply is formally filed, the statute goes on to authorize the operator to "commence operation of the quarry" as soon as it receives the postal receipt showing MDEP received that document. *Id.*

Contrary to MTN and MDEP's position, and regardless of how many times they invoke the "unique" and "streamlined" nature of the quarry approval process as though the use of those words alone is sufficient to settle the matter, nothing in 38 M.R.S. § 490-Y states or implies that no substantive review of an applicant's representations is appropriate.

Notably, MDEP draws its "streamlined" characterization of the quarry approval process from the Superior Court's citation to a passage from the 38 M.R.S. § 490-Y's legislative history in which proponents of the statute lauded how the quarry approval process could be "streamlined" and sped up through the statute's reduction in "useless and needless regulations" while opponents decried any relaxation in regulations and in MDEP's role in the permitting process. (A. 14.) Nothing in the cited legislative history states, however, that MDEP's role in the permitting process would be reduced to a purely ministerial one. In truth, the Fraumenis' interpretation of 38 M.R.S. § 490-Y is only one that recognizes the "unique" and "streamlined" approval process called for by the statute, rather than interpreting § 490-Y to eliminate any substantive approval process at all.

Specifically, 38 M.R.S. § 490-Y is clear that a quarry applicant is entitled to move ahead with quarry operations immediately upon providing the statutorily required notice described above. This can occur even while MDEP reviews a quarry application to determine whether the representations made therein, including with respect to the quarry applicant's compliance with legal requirements imposed by 38 M.R.S. § 490-Z, are correct. Thus, so long as a quarry operator accurately completes its notice of intent to comply, it can move immediately ahead with operations, confident that once MDEP completes its review those operations will continue to be allowed.

At the same time, 38 M.R.S. § 490-Y ensures that all abutting property owners are given notice of a quarry application in advance of its filing. This provision must be afforded legal significance just as all aspects of § 490-Y must be afforded meaning. *See State v. Santerre*, 2023 ME 63, ¶ 9, 301 A.3d 1244 ("In construing the plain meaning of the language, [this Court] seek[s] to give effect to the legislative intent and construe the language to avoid absurd, illogical, or inconsistent results. All words in a statute are to be given meaning, and none are to be treated as surplusage if they can be reasonably construed.") (citation and quotation marks omitted); *see also Adams v. Town of Brunswick*, 2010 ME 7, ¶ 11, 987 A.2d 502 (holding that a zoning ordinance "should be construed harmoniously so as not to render ineffective particular provisions.").

The plain intention behind providing abutters advance notice of a quarry application is to afford them an opportunity to timely lodge their objections. It would be absurd to read the statute as providing abutters an opportunity to substantively object to a quarry applicant's plans while investing MDEP with no authority to do anything in response.

The only way to harmonize all of the language of 38 M.R.S. § 490-Y in a way that does not leave any language mere surplusage is to recognize that the "streamlining" of the quarry approval process intended by its drafters is vindicated by the relatively circumscribed set of substantive requirements for quarry approval provided by 38 M.R.S. §§ 490-Y & 490-Z as well as by the fact that quarry applicants may move ahead with their activities in anticipation of receiving approvals, rather than, as is normally the case, being required to wait for approvals before proceeding with the activities for which permission has been sought. This is all perfectly compatible with not reducing MDEP's role in the process to rubber stamping all quarry approvals so long as applicants fill in their application in a

facially correct fashion.[4]

V. MDEP WAS WITHOUT AUTHORITY TO APPROVE A QUARRY IN AN AREA LISTED BY MNAP WITHOUT MEETING NRPA STANDARDS.

The language contained in 38 M.R.S. § 490-Z(1) is plain and unequivocal. MTN is prohibited from operating its quarry "in an area listed" by MNAP without complying with NRPA standards, and MDEP, therefore, was without authority to grant MTN permission to operate its quarry in such an area absent findings that MTN had met those standards. It is undisputed that the Kennebec Estuary Area, which includes the MTN Property, is enumerated by MNAP as a "Focus Area of Statewide Ecological Significance" in its published materials. (A. 177-85.)

The seemingly plain and unavoidable conclusion to be drawn from the above is that MTN's placard should have been denied given that the MTN Property lies within an MNAP listed area and no effort was made to satisfy NRPA standards. Indeed, the force of this simple logic is such that even MTN acknowledges that the Fraumenis' interpretation of this language is "seemingly consistent with the

---

[4] MDEP's position that its removal from the approval process is acceptable because it retains enforcement power cannot lie because that approach removes abutters from any enforceable role in the process. MDEP has discretionary authority whether (or not) to take action when the terms of a permit are violated. *See* 38 M.R.S. § 348(1). Indeed, MDEP has discretion whether to even conduct quarry inspections at all. *See* 38 M.R.S. § 490-AA ("The department ***may*** periodically inspect a site, examine relevant records of the owner or operator of a quarry, take samples and perform tests necessary to determine compliance with the provisions of this article." (emphasis added)). Thus, if an applicant's quarry operations proceed in violation of legal requirements, and if MDEP either omits or refuses to inspect or to take any enforcement action against violations discovered during an inspection, abutting property owners are left with no reviewable decision to appeal from and instead are forced to live next to a legally noncompliant quarry operation indefinitely. *See Clark v. Town of Phippsburg*, 2025 ME 25, ¶ 34, 334 A.3d 623 ("Generally speaking, prosecutorial decisions not to enforce are unreviewable by the court.")

meaning of Section 490-Z(1)". (MTN Br. at 29.) That the plain meaning of 38 M.R.S. § 490-Z(1) dictates denial of MTN's placard is where the analysis should properly end. *See Strout v. Cent. Maine Med. Ctr.*, 2014 ME 77, ¶ 10 94 A.3d 786 ("We will construe a statute based on its plain meaning in the context of the statutory scheme, and only if the statute is ambiguous will we look to extrinsic indicia of legislative intent . . . .")

In order to argue that the 38 M.R.S. § 490-Z(1) purportedly requires something other than what its plain language dictates, MDEP resorts to positing horrible hypotheticals regarding the geographical scope of land § 490-Z(1) would restrict from mining operations if the Fraumenis' interpretation prevails. MTN, for its part, responds by parsing the definition of the word "listed" in such a way as to eliminate its application to MNAP's enumeration of the Kennebec Estuary Area as a Focus Area of Statewide Ecological Significance. Neither tact is convincing.

With respect to the former argument, it first bears noting that the map on page 177 of the Appendix showing portions of land MNAP has listed within the Kennebec Estuary Focus Area is, contrary to MDEP's representations, fairly limited. There is plenty of land remaining in the towns through which that Focus Area runs, much less the remainder of the State, that are available to quarry applicants and unencumbered by any Focus Area designation. Even those areas so designated are completely cut off from quarry development. Applicants simply

need to go through the NRPA process and satisfy that Act's standards first.

More to the point, whether the Legislature was wise to dictate that the geographical scope of 38 M.R.S. § 490-Z(1)'s restrictions on quarry operations is governed by a list generated by MNAP is irrelevant. Doing so was a rational exercise of the Legislature's police power to regulate for the general welfare. *See MacImage of Maine, LLC v. Androscoggin County*, 2012 ME 44, ¶ 30, 40 A.3d 975. That statutory language cannot now be interpreted in a manner contradictory to its plain meaning simply because quarry applicants or MDEP do not like the decisions resulting from its application.

Moreover, if MDEP believes the interaction between 38 M.R.S. § 490-Z(1) and MNAP's Focus Area designations leads to inappropriate results, the solution is either to petition the Legislature to alter the statute's language or to work with MNAP to narrow the scope of its Focus Area designations. Regardless, it is not appropriate to try to force the square peg of § 490-Z(1)'s language in the round hole of MDEP and MTN's unsupportable interpretation of that language.

Finally, MTN's argument arising out of the definition of the word "listed" is misplaced because MNAP's designation of the Kennebec Estuary Area as one of a number of Focus Areas of Statewide Ecological Significance fits the definition, as recognized by MNAP itself.

Black's Law Dictionary defines the word "list," in relevant part, as follows:

"A roll or register, as of names." *Black's Law Dictionary* 950 (8th Ed. 2004). A "roll" is defined as "[a] record of a court or public office's proceedings." *Id.* at 1354. The noun form of "register" is defined as including "[a] book in which all docket entries are kept for the various cases pending in a court . . . [and a] record book of significant events occurring in a parish . . . ." *Id.* at 1308. Putting the definition of "list" together with that of "roll" and "register," and applying that definition to the facts of this case, the record MNAP keeps of land areas it considers to be Focus Areas of Statewide Ecological Significance are a list of names of those areas constituting a record of MNAP's proceedings as memorialized in writing.

It is difficult to reconcile MTN and MDEP's position that areas designated by MNAP as Focus Areas are not "listed" by MNAP given that at the bottom on page 7 of MNAP's document designating the Kennebec Estuary as such an area and explaining why it had been so designated, MNAP states as follows: "For more information about Focus Areas of Statewide Ecological Significance, including a ***list of Focus Areas*** and an explanation of selection criteria, visit www.beginningwithhabitat.org." (A. 183) (emphasis added). MNAP could not have made itself clearer. All Focus Areas are areas "listed" by MNAP. MTN and MDEP's efforts to argue to the contrary are unavailing.

CONCLUSION

For the reasons stated above, as well as in the Fraumenis' initial brief, this Court should vacate the Superior Court's decision and order that the Department vacate and reverse its decision authorizing MTN's quarry.

Dated: April 10, 2026

s/ Russell B. Pierce, Jr.
/s/ David A. Goldman

Russell B. Pierce, Jr., Esq. - Bar No. 7322
David A. Goldman, Esq. - Bar No. 4121

NORMAN, HANSON & DETROY, LLC
220 Middle Street
P.O. Box 4600
Portland, ME 04112-4600
(207) 774-7000
rpierce@nhdlaw.com
dgoldman@nhdlaw.com

Attorneys for Petitioners-Appellants