

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 16-2126

DAVID A. HERR; PAMELA F. HERR,  
Plaintiffs - Appellants,

v.

UNITED STATES FOREST SERVICE; SONNY PERDUE,  
Secretary of Agriculture; TOM TIDWELL, Chief of the  
United States Forest Service; KATHLEEN ATKINSON,  
Regional Forester for the Eastern Region of the United  
States Forest Service; LINDA JACKSON, Forest Supervisor,  
Ottawa National Forest; TONY HOLLAND, District Ranger,  
Watersmeet - Iron River Ranger Districts,  
Defendants - Appellees,

**FILED**  
Jul 26, 2017  
DEBORAH S. HUNT, Clerk

SWC, LLC; TIMOTHY A. SCHMIDT; FRIENDS  
OF SYLVANIA; UPPER PENINSULA ENVIRONMENTAL COALITION,  
Intervenors - Appellees.

Before: SUTTON and DONALD, Circuit Judges; ZOUHARY, District Judge.

**JUDGMENT**On Appeal from the United States District Court  
for the Western District of Michigan at Marquette.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION THEREOF, it is ORDERED that the judgment of the district court is  
REVERSED.**ENTERED BY ORDER OF THE COURT**\_\_\_\_\_  
Deborah S. Hunt, Clerk