

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

VERMONT RAILWAY, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 2:16-cv-16
	)	
TOWN OF SHELBURNE,	)	
	)	
Defendant.	)	

**ORDER**

The Court issued an Opinion and Order on December 7, 2017 permanently enjoining the enforcement of Defendant Town of Shelburne’s Ordinance Regulating the Storage, Handling and Distribution of Hazardous Substances (“Storage Ordinance”) and §§ 1950.1 and 1950.2(A) of the Town’s Performance Standards against Plaintiff Vermont Railway and its facilities. ECF 269. On December 12, 2017, Plaintiff Vermont Railway moved for Entry of Final Judgment on the Court’s December 7, 2017 Opinion and Order. ECF 270. Defendant Town of Shelburne did not respond to this motion.

It is hereby ORDERED that Final Judgment is entered on the Court’s December 7, 2017 Opinion and Order. In accordance with that Opinion and Order, enforcement of Defendant Town of Shelburne’s Storage Ordinance and §§ 1950.1 and 1950.2(A) of the

Town's Performance Standards against Plaintiff Vermont Railway and its facilities is permanently enjoined.

Dated at Burlington, in the District of Vermont, this 2nd day of January, 2018.

/s/William K. Sessions III  
William K. Sessions III  
District Court Judge

JUDGMENT ENTERED ON DOCKET  
DATE: 1/2/2018

**UNITED STATES DISTRICT COURT**  
**OFFICE OF THE CLERK**  
DISTRICT OF VERMONT  
FEDERAL BUILDING  
**BURLINGTON, VERMONT 05402-0945**

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**JEFFREY S. EATON**  
CLERK

Civil Action: 2:16cv16

Date: January 2, 2018

Vermont Railway, Inc. v. Town of Shelburne et al

NOTICE TO LITIGANTS

If you wish to appeal the enclosed judgment or order, you must file a Notice of Appeal within 30 days after entry of the judgment or order appealed from (or 60 days if the United States or an officer or agency of the United States is a party). Fed. R. App. P. 4(a)(1). The fee for filing an appeal is \$505.00.

If you wish to appeal but are unable to file your Notice of Appeal within 30 days [or 60 days if applicable] after the date of entry shown on line 2 below, then you have an additional 30 days to file a Motion for Extension of Time. The Motion for Extension of Time **must** be filed within 30 days after the date on line 3 below. Every Motion for Extension of Time must contain an explanation which demonstrates "good cause" or "excusable neglect" for failure to file the Notice of Appeal within the time limit required. Fed. R. App. P. 4(a)(5).

**PLEASE TAKE NOTICE**

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|--|-------------------------|
| 1. Judgment filed  | <u>January 2, 2018</u>  |
| 2. Date of Entry of Judgment on the docket of this court | <u>January 2, 2018</u>  |
| 3. Notice of Appeal <b>MUST</b> be filed on or before    | <u>February 1, 2018</u> |

/s/ Joanne A. Muir  
Signature of Clerk or Deputy Clerk