

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

VERMONT RAILWAY, INC.,	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:16-cv-16-wks
	)	
TOWN OF SHELBURNE and	)	
JOE COLANGELO in his capacity	)	
as Town Manager and	)	
Zoning Enforcement Officer,	)	
Defendants.	)	

**DEFENDANT TOWN OF SHELBURNE'S  
NOTICE OF APPEAL**

Notice is hereby given that the Town of Shelburne, defendant in the above-named case, hereby appeals to the United States Court of Appeals for the Second Circuit from the Opinion and Order of the United States District Court for the District of Vermont granting a permanent injunction against (1) the Town's "Ordinance Regulating the Storage, Handling and Distribution of Hazardous Substances" and (2) §§ 1950.1 and 1950.2(A) of the Town's Performance Standards. The Opinion and Order was filed on December 7, 2017, and final judgment on the Opinion and Order was entered on January 2, 2018. The Town appeals the Opinion and Order in its entirety.



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Dated at Burlington, Vermont, this 19<sup>th</sup> day of January, 2018.

Respectfully Submitted,  
TOWN OF SHELBURNE  
By and through their counsel,

/s/Claudine C. Safar, Esq.

Claudine C. Safar, Esq.  
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**CERTIFICATE OF SERVICE**

I, Claudine C. Safar, Esq., attorney for the Town of Shelburne, hereby certify that on January 19, 2018, *Defendant Town of Shelburne's Notice of Appeal* was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

Dated this 19<sup>th</sup> day of January, 2018.

Respectfully Submitted,  
TOWN OF SHELBURNE  
By and through its counsel,

          /s/Claudine C. Safar, Esq.            
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