

Filed: April 2, 2009

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

1100 East Main Street, Suite 501
Richmond, Virginia 23219-3517

www.ca4.uscourts.gov

NOTICE TO RESPOND TO PETITION

No. 07-1355 (L), Ohio Valley Environmental Coal v. Elk Run
Coal Company
3:05-cv-00784, 3:06-cv-00438

RESPONSE DUE: April 14, 2009

Response is required to the appellees' petition for rehearing or rehearing en banc. Response must be filed by the response due date shown in this notice.

Sharon A. Wiley
Deputy Clerk
804-916-2704