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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

ROSEBUD SIOUX TRIBE *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP *et al.*,

Defendants.

Case No. 4:18-cv-00118-BMM

**PLAINTIFFS' REQUEST FOR  
STATUS CONFERENCE**

Plaintiffs Rosebud Sioux Tribe and Fort Belknap Indian Community respectfully request that the Court set a telephonic status conference at its earliest convenience to address the scheduling and management of briefing. Currently, pursuant to the Court's December 20, 2019, order (Dkt. 93), supplemental briefing on a specific set of issues is due today. Supplemental response briefs are due February 14, 2020.

Today, however, Defendants TC Energy Corporation and TransCanada Keystone Pipeline, L.P., (collectively, "TransCanada") filed a puzzling brief purporting to renew their motion to dismiss that was denied on December 20, 2019. (Dkt. 95). TransCanada also filed a motion for summary judgment on the same issues. (Dkts. 96-98). According to Local Civil Rule 7.1(d)(1)(B)(i), Plaintiffs have twenty-one days to respond to TransCanada's motion for summary judgment and twenty-one days to respond to TransCanada's supposed renewed motion to dismiss. Accordingly, Plaintiffs must respond to TransCanada's motion for summary judgment and renewed motion to dismiss by February 14, 2020, the same day as they are required to submit supplemental response briefs pursuant to this Court's December 20, 2019, order. It is unclear to Plaintiffs whether they will be required to respond to either or both of these motions.

Additionally, on January 22, 2020, the Bureau of Land Management approved a right-of-way across forty-six miles of federal land in Montana.<sup>1</sup> Plaintiffs will be moving to file a Second Amended Complaint to add new defendants and claims related to this action.

Plaintiffs' counsel would like direction from this Court as to the order, timing, and management of the pending actions and overlapping briefing schedule so as to manage this case in the most efficient and productive manner for the Court and the parties.

RESPECTFULLY SUBMITTED this 24th day of January 2020.

/s/ Natalie A. Landreth

/s/ Wesley James Furlong

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<sup>1</sup> <https://www.blm.gov/press-release/interior-approves-record-decision-keystone-xl-pipeline>.

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*Counsel for Plaintiff Fort Belknap Indian  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on the 24th day of January, 2020, I electronically filed the foregoing **PLAINTIFFS' REQUEST FOR STATUS CONFERENCE** with the Clerk of the Court for the United States District Court for the District of Montana by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Wesley James Furlong

Wesley James Furlong

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