

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ALLCO RENEWABLE ENERGY LIMITED, *et al.*,

Plaintiffs,

vs.

DEB HAALAND, *et al.*,

Defendants.

Civil Action No. 1:21-cv-11171-IT

Hon. Indira Talwani

**INTERVENOR VINEYARD WIND 1 LLC'S MOTION TO JOIN DEFENDANTS'
MOTION TO DISMISS**

Intervenor Vineyard Wind 1 LLC (“Vineyard Wind”) hereby requests that the Court permit it to join the Federal Defendants’ Motion to Dismiss the Complaint and the accompanying Memorandum in Support of that Motion, Doc. # 48, 49 (Feb. 2, 2022) (“Motion to Dismiss”). As grounds for this motion, Vineyard Wind states as follows:

1. On February 2, 2022, the Federal Defendants filed the Motion to Dismiss. Each of the grounds the Federal Defendants raised in the Motion to Dismiss are grounds that Vineyard Wind could have raised for dismissal on its own behalf.

2. In accordance with the Court’s statements at the scheduling conference on January 7, 2022 and the subsequent scheduling order, Vineyard Wind seeks to join and incorporate the Motion to Dismiss and the accompanying arguments. By permitting Vineyard Wind to join the Motion to Dismiss and the arguments therein, the Court will avoid unnecessary duplication of argument, which will serve the interests of justice and desire for efficiency.

3. By this motion, Vineyard Wind not only seeks to join the Federal Defendant’s Motion to Dismiss, but also seeks dismissal of the Complaint for the same reasons set forth in the Motion

to Dismiss. As further grounds for this requested relief, Vineyard Wind hereby incorporates by reference the Motion to Dismiss, including the arguments set forth therein.

WHEREFORE, Vineyard Wind hereby requests that the Court permit it to join the Motion to Dismiss and grant dismissal for the reasons set forth in the Motion to Dismiss.

Dated: February 8, 2022

Respectfully submitted,

/s/ Jack. W. Pirozzolo

Jack W. Pirozzolo (BBO # 564879)
SIDLEY AUSTIN LLP
60 State Street, 36th Floor
Boston, MA 02109
(617) 223-0304
jpirozzolo@sidley.com

David T. Buente, Jr. (*pro hac vice*)
Peter C. Whitfield (*pro hac vice*)
Joseph T. Zaleski (*pro hac vice*)
SIDLEY AUSTIN LLP
1501 K Street N.W.
Washington, DC 20005
(202) 736-8000
dbuente@sidley.com
pwhitfield@sidley.com
jzaleski@sidley.com

Counsel for Vineyard Wind 1 LLC

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I, Jack W. Pirozzolo, counsel for Vineyard Wind, hereby certify that, in accordance with Local Rule 7.1(a)(2), counsel for Vineyard Wind has conferred with counsel for the Plaintiffs and they do oppose this motion.

Dated: February 8, 2022

/s/ Jack W. Pirozzolo
Jack W. Pirozzolo

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 8, 2022, a true and complete copy of the foregoing has been filed with the Clerk of the Court pursuant to the Court's electronic filing procedures, and served on counsel of record via the Court's electronic filing system.

Dated: February 8, 2022

/s/ Jack W. Pirozzolo
Jack W. Pirozzolo