

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA

ENERGY TRANSFER EQUITY, LP, *ET AL.*

PLAINTIFFS

VS.

1:17-CV-00173-BRW

GREENPEACE INTERNATIONAL, *ET AL.*

DEFENDANTS

**ORDER**

On August 22, 2017, Plaintiffs filed this action against “Earth First!” (“EF”) and other Defendants.<sup>1</sup> On November 20, 2017, Plaintiffs requested a declaration of effective service on EF.<sup>2</sup> Plaintiffs also filed a certificate of service claiming effective service through mailings to a post office box and counsel.<sup>3</sup>

Earth First! Journal (“Journal”) then filed an amicus brief opposing Plaintiffs’ assertion of service,<sup>4</sup> since the service was on Journal, not EF. Journal claims EF is a movement not affiliated with Journal.

Journal then filed a motion for sanctions.<sup>5</sup> Plaintiffs responded with a motion to strike Journal’s motion for sanctions.<sup>6</sup> Journal responded and Plaintiffs replied.<sup>7</sup> All of the motions

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<sup>1</sup>Doc. No. 1.

<sup>2</sup>Doc. Nos. 33, 34, and 35.

<sup>3</sup>Doc. No. 44.

<sup>4</sup>Doc. No. 51.

<sup>5</sup>Doc. No. 64.

<sup>6</sup>Doc. No. 66.

<sup>7</sup>Doc. Nos. 70, 72.

were denied, but I requested additional information from Journal.<sup>8</sup> After Journal provided the additional information, Plaintiffs were reminded of their responsibility to serve EF.<sup>9</sup>

It appears Plaintiffs have failed to serve EF and the time to do so has passed. Accordingly, 5 p.m., Wednesday, August 1, 2018, Plaintiffs must show cause as to why EF should not be dismissed as a party to this action.

IT IS SO ORDERED this 23rd day of July, 2018.

/s/ Billy Roy Wilson \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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<sup>8</sup>Doc. No. 74.

<sup>9</sup>Doc. No. 81.