

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

INDIGENOUS ENVIRONMENTAL NETWORK
and NORTH COAST RIVERS ALLIANCE,

Plaintiffs,

v.

PRESIDENT DONALD J. TRUMP, *et al.*,

Defendants,

and

TC ENERGY CORPORATION, *et al.*,

Defendant-Intervenors.

CV-19-28-GF-BMM

ORDER

The Court denied TC Energy's and Federal Defendants' Motions to Dismiss on December 20, 2019. (Doc. 73.) The Court's Order denying Defendants' Motions to Dismiss fully resolved those motions. The Court also ordered all parties to submit supplemental briefing on or before January 24, 2020. (Doc. 74.) All parties complied. (Docs. 76, 80 & 81.) The Court further provided the parties with the opportunity to file response briefs to their opponents' supplemental briefs on or before February 14, 2020. (Doc. 74.)

TC Energy has filed a motion for summary judgment. (Doc. 77.) Plaintiffs thereafter filed a renewed motion for preliminary injunction and application for

temporary restraining order. (Doc. 82.) TC Energy notified the Court that it will not engage in any construction-related activities that it identified in its January 14, 2020, status report until February 24, 2020. (Doc. 83.)

The Court possess the inherent power to manage its own affairs to achieve the orderly and expeditious disposition of cases. *See Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962). The Court issues this order to clarify the order, timing, and management of the pending motions and overlapping briefing schedule. Upon review of the most recent docket filings, the Court determines that the parties should not file response briefs to the supplemental briefs, as previously ordered on December 20, 2019. (Doc. 74.) The Court will consider the arguments each party made in its supplemental briefing as it considers summary judgment motions.

The parties shall, if they wish to file the following motions, responses, and replies, observe this schedule:

TC Energy and Federal Defendants shall respond to Plaintiffs' Renewed Motion for Preliminary Injunction and Application for Temporary Restraining Order (Doc. 82) on or before: February 10, 2020

Plaintiffs shall reply to TC Energy's and Federal Defendants' responses to Plaintiffs' Renewed Motion for Preliminary Injunction and Application for Temporary Restraining Order on or before: February 18, 2020

Plaintiffs shall respond to TC Energy's Motion for Summary Judgment (Doc. 77) on or before: February 18, 2020

Plaintiffs shall move for summary judgment on or before: February 18, 2020

Federal Defendants shall move for summary judgment on or before: February 18, 2020

TC Energy shall reply to Plaintiffs' response to TC Energy's Motion for Summary Judgment on or before: March 9, 2020

TC Energy and Federal Defendants shall respond to Plaintiffs' Motion for Summary Judgment on or before: March 9, 2020

Plaintiffs shall respond to Federal Defendants' Motion for Summary Judgment on or before: March 9, 2020

Federal Defendants shall reply to Plaintiffs' response to Federal Defendants' Motion for Summary Judgment on or before: March 23, 2020

Plaintiffs shall reply to TC Energy's and Federal Defendants' responses to Plaintiffs' Motion for Summary Judgment on or before: March 23, 2020

The Court will conduct a hearing on any pending motions on March 25, 2020, at 1:30 p.m.

It is hereby **ORDERED** that the parties shall follow the schedule as set forth above.

DATED this 3rd day of February, 2020.



Brian Morris
United States District Court Judge