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*Attorneys for Federal Defendants*

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

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INDIGENOUS ENVIRONMENTAL  
NETWORK, *et al.*,

Plaintiffs,

v.

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

Defendants.

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CV 19-28-GF-BMM

**DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

Defendants President Donald J. Trump; United States Department of State; Michael R. Pompeo, in his official capacity as Secretary of State; United States Army Corps of Engineers; Lt. General Todd T. Semonite, in his official capacity as Commanding General and Chief of Engineers; United States Fish and Wildlife Service; Margaret Everson, in her official capacity as Acting Director of the U.S. Fish and Wildlife Service; United States Bureau of Land Management (BLM); and David Bernhardt, in his official capacity as Secretary of the Interior, hereby move for summary judgment, pursuant to Federal Rule of Civil Procedure 56(a) and LRCiv 56.1, on all counts in Plaintiffs Rosebud Sioux Tribe and Fort Belknap Indian Community's First Amended Complaint, ECF No. 37.

On February 25, 2020, Defendants conferred with Plaintiffs and TC Energy by email on their respective positions on this motion for summary judgment. Plaintiffs stated they oppose this motion and TC Energy indicated that they do not oppose this motion.

This motion is supported by the accompanying memorandum of points and authorities, statement of undisputed facts, and accompanying exhibits.

Respectfully submitted this 25th day of February, 2020,

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*/s/ Marissa Piropato*

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 25, 2020, a copy of the foregoing Defendants' Motion for Summary Judgment was served on all counsel of record via the Court's CM/ECF system.

*/s/ Marissa Piropato* \_\_\_\_\_  
MARISSA A. PIROPATO  
U.S. Department of Justice