

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

INDIGENOUS ENVIRONMENTAL
NETWORK and NORTH COAST RIVERS
ALLIANCE,

Plaintiffs,

vs.

PRESIDENT JOSEPH R. BIDEN, et al.,

Defendants,

TRANSCANADA KEYSTONE PIPELINE,
LP, a Delaware limited partnership, and TC
ENERGY CORPORATION, a Canadian
Public company,

Defendant-Intervenors.

Civil Action No. 4:19-cv-00028-
BMM

**THE PARTIES' JOINT
STATUS REPORT IN
RESPONSE TO THE COURT'S
FEBRUARY 24 ORDER**

Pursuant to orders entered on February 24 and 28, 2022 (Docs. 182 and 184), this Court requested that the parties jointly submit a status report on March 9 regarding the status of any appeal or expected appeal in the matter of *Texas v. Biden*, 3:21-cv-00065 (S.D. Tex.). The deadline for filing that appeal was March 7, 2022. Each of the parties has checked the court's docket in the matter of *Texas v. Biden* and represents that the docket reflects no appeal having been filed on or before the March 7, 2022 deadline. Additionally, none of the parties in this case is aware of any effort on behalf of the plaintiffs in *Texas v. Biden* to file an appeal of the district court's order.

In addition to conferring on the status of the appeal in the *Texas v. Biden* matter, the parties also conferred regarding whether the absence of an appeal renders this matter moot. Federal Defendants and Defendant-Intervenors maintain that this matter is moot. Plaintiffs maintain that this matter is not moot, and propose the following briefing schedule on the issue of mootness: All parties submit opening briefs on the issue of mootness on April 8, 2022, and all parties submit responding briefs on April 22, 2022.

Defendant-Intervenors do not believe that additional briefing on mootness is necessary, but state that they have no objection to the briefing schedule proposed by Plaintiffs if the Court believes that additional briefing on mootness would be helpful.

Federal Defendants do not believe additional briefing is necessary, but will provide further briefing as directed by the Court. If further briefing is to occur, Defendants agree to the schedule set forth above.

Dated: March 9, 2022

Respectfully Submitted,

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(d)(2)(E), I certify that this filing contains 484 words, excluding the caption and certificates of service and compliance.

/s/ Jeffery J. Oven
Jeffery J. Oven

CERTIFICATE OF SERVICE

I hereby certify that I electronically served today a copy of the foregoing by using the Court's CM/ECF system on all counsel of record.

/s/ Jeffery J. Oven
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