

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Dakota Access, LLC,)	
)	
Plaintiff,)	ORDER CONTINUING HEARING
)	AND EXTENDING TEMPORARY
vs.)	RESTRANDING ORDER
)	
Dave Archambault, II, Jonathan Edwards,)	
Dana Yellow Fat, Valerie Dawn)	Case No.: 1:16-cv-296
Wolfnecklace, Clifton Verle Hollow,)	
Donald Dennis Strickland, Aaron)	
Gabriel Neyer, and John & Jane Does,)	
)	
Defendants.)	

On August 15, 2016, Plaintiff Dakota Access, LLC (“Dakota Access”) filed a Motion for Temporary Restraining Order. See Docket No. 3. On August 16, 2016, the Court granted Dakota Access’ Motion for Temporary Restraining Order. See Docket No. 7. A show cause hearing was scheduled for Thursday, August 25, 2016, to determine whether a preliminary injunction should be issued.

Under Rule 65 of the Federal Rules of Civil Procedure, a temporary restraining order may not exceed fourteen (14) days unless the court, for good cause, extends it for a like period, or the adverse party consents to a longer extension. Fed. R. Civ. P. 65(b)(2). On August 22, 2016, the Court held a telephonic status conference with counsel for Plaintiff Dakota Access and counsel for Defendants Dana Yellow Fat and Dave Archambault, II. See Docket No. 12. During the status conference, counsel for the parties agreed to extend the temporary restraining order and continue the show cause hearing to a time convenient for the parties and their counsel. The parties requested the show cause hearing be rescheduled into early September 2016. See Docket No. 16.

The Court finds that good cause exists to extend the temporary restraining order and continue the show cause hearing. Accordingly, the hearing scheduled for Thursday, August 25, 2016, at 2:30 p.m. is **CANCELLED**. A show cause hearing will be held in Courtroom One of the U.S. District Court for the District of North Dakota, in Bismarck, North Dakota, on Thursday, September 8, 2016, at 2:30 p.m. to determine whether a preliminary injunction should be issued. The Court further **ORDERS** the temporary restraining order against the Defendants shall be extended until September 8, 2016. The parties are strongly encouraged to meet and confer in good faith in an attempt to resolve this dispute prior to the hearing on September 8, 2016.

IT IS SO ORDERED.

Dated at 2:05 p.m., this 22nd day of August, 2016.

/s/ Daniel L. Hovland
Daniel L. Hovland, District Judge
United States District Court