

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

YANKTON SIOUX TRIBE, et al.

Plaintiff,

v.

UNITED STATES ARMY CORPS OF
ENGINEERS, et al.

Defendant.

Case No. 1:16-cv-1796

JOINT PROPOSED SCHEDULE

On November 28, 2016, the Court ordered the parties to meet and confer and submit a proposed briefing schedule for this case by December 12, 2016. Minute Order (Nov. 28, 2016). The parties met and conferred regarding a proposed briefing schedule on December 1, 6, 9, and 12. Based upon: (1) the Department of the Army's December 4, 2016 memorandum regarding the Proposed Dakota Access Pipeline Crossing at Lake Oahe, North Dakota; (2) the Standing Rock Sioux Tribe and Cheyenne River Sioux Tribe's December 7, 2016 Joint Status Report;¹ and (3) the Court's indication that it was inclined to stay the cases brought by the Standing Rock and Cheyenne River Sioux Tribes and the December 9, 2016 scheduling order in *Standing Rock Sioux Tribe v. United States Army Corps of Engineers*, the parties to this case propose the following:

¹ See *Standing Rock Sioux Tribe v. United States Army Corps of Engineers*, Case No. 1:16-cv-01534 (JEB), ECF Nos. 65 and 67 (D.D.C. Dec. 4 and Dec. 7, 2016). Defendant anticipates that it will seek to clarify that the December 19, 2016 deadline for the Corps to answer the Cheyenne River Sioux Tribe's Complaint is stayed pending resolution of Dakota Access's motion for summary judgment.

- A) That production of the administrative record and briefing in this case be held in abeyance until the resolution of Dakota Access, LLP's pending motion for summary judgment in *Standing Rock Sioux Tribe v. United States Army Corps of Engineers*. Case No. 1:16-cv-01534 (JEB), ECF No. 66 (D.D.C. Dec. 5, 2016).
- B) That the Court order the parties in this case to file a status report and proposal for resolving this matter within fourteen days of the resolution of Dakota Access's motion for summary judgment.
- C) That either party may move to modify this proposed schedule for good cause at any time.

Dated: December 12, 2016

Respectfully submitted,

JOHN C. CRUDEN
Assistant Attorney General
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/s/ Jennifer S. Baker by /s/ Matthew Marinelli pursuant to written authorization on December 12, 2016
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CERTIFICATE OF SERVICE

I hereby certify that, on the 12th day of December, 2016, a copy of the foregoing was filed through the Court's CM/ECF management system and electronically served on counsel of record.

/s/ Matthew Marinelli
Matthew Marinelli