

Case No. 1:16-cv-01534 (JEB)

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Summary Judgment and the Corps' motion to dismiss. This would include holding in abeyance the Corps' December 19, 2016 deadline to respond to Cheyenne River's Amended Complaint.¹ See ECF No. 48 at 3. Standing Rock, Cheyenne River, and the Corps further propose submitting a status report and proposed schedule within two weeks of resolution of the Dakota Access motion.

Holding the Tribes' claims in abeyance will serve the interests of judicial economy by enabling Standing Rock, Cheyenne River, and the Corps and the Court to focus on resolving the Dakota Access Motion for Summary Judgment on an expedited basis. This approach is also consistent with the Court's Order in *Yankton Sioux Tribe v. U.S. Army Corps of Engineers* staying the plaintiff's claims pending resolution of Dakota Access' motion. See Minute Order (Dec. 13, 2016) in Case No. 16-cv-01796 (JEB).

In conclusion, Standing Rock, Cheyenne River, and the Corps respectfully ask that the Court hold in abeyance the Tribes' claims, including the Corps' December 19 deadline to respond to Cheyenne River's Amended Complaint, until resolution of Dakota Access's Motion for Summary Judgment and the Corps' motion to dismiss, and that the Court order all parties to file a status report as to proposed future proceedings within fourteen days of the Court's expected order on the dispositive motions.

¹ In the event the Court denies this motion, the Corps requests and Cheyenne River does not oppose an extension of time for the Corps to respond to Cheyenne River's Amended Complaint until January 13, 2017.

Dated: December 16, 2016

Respectfully submitted,

/s/ Jan Hasselman

Patti A. Goldman, DCBA # 398565
Jan E. Hasselman, WSBA # 29107
(Admitted Pro Hac Vice)
Stephanie Tsosie, WSBA # 49840
(Admitted Pro Hac Vice)
Earthjustice
705 Second Avenue, Suite 203
Seattle, WA 98104
Telephone: (206) 343-7340
pgoldman@earthjustice.org
jhasselman@earthjustice.org
stsosie@earthjustice.org

*Attorneys for the Standing Rock
Sioux Tribe*

/s/ Nicole Ducheneaux

Nicole E. Ducheneaux, Pro Hac Vice
Fredericks Peebles & Morgan LLP
3610 North 163rd Plaza
Omaha, NE 68116
Telephone: 402-333-4053
Facsimile: 402-333-4761
Email: nducheneaux@ndnlaw.com

Conly J. Schulte
Fredericks Peebles & Morgan LLP
1900 Plaza Drive
Louisville, CO 80027
Telephone: (303) 673-9600
Facsimile: (303) 673-9839
Email: cschulte@ndnlaw.com

*Attorneys for the Cheyenne River
Sioux Tribe*

John C. Cruden
Assistant Attorney General
Environment and Natural Resources Division

/s/ Erica Zilioli

Matthew Marinelli, IL Bar 6277967
U.S. Department of Justice
Natural Resources Section
P.O. Box 7611
Benjamin Franklin Station
Washington, DC 20044
Phone: (202) 305-0293
Fax: (202) 353-2021
matthew.marinelli@usdoj.gov

Erica M. Zilioli, D.C. Bar 488073
U.S. Department of Justice
Environmental Defense Section
P.O. Box 7611
Washington, DC 20044
Phone: (202) 514-6390
Fax: (202) 514-8865
Erica.Zilioli@usdoj.gov

*Attorneys for the United States Army Corps
of Engineers*

OF COUNSEL:

MILTON BOYD
MELANIE CASNER
U.S. Army Corps of Engineers
Office of Chief Counsel
Washington, DC

CERTIFICATE OF SERVICE

I hereby certify that, on the 16th 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/ Erica Zilioli
Erica M. Zilioli