

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STANDING ROCK SIOUX TRIBE,

Plaintiff,

and

CHEYENNE RIVER SIOUX TRIBE,

Plaintiff-Intervenor,

v.

U.S. ARMY CORPS OF ENGINEERS,

Defendant-Cross
Defendant,

and

DAKOA ACCESS, LLC,

Defendant-Intervenor-
Cross Claimant.

Case No. 1:16-cv-1534-JEB

**STANDING ROCK SIOUX TRIBE’S JOINDER IN MOTION FOR TEMPORARY
RESTRAINING ORDER**

Plaintiff Standing Rock Sioux Tribe (“Tribe”) hereby respectfully joins the motion filed by intervenor Cheyenne River Sioux Tribe seeking a temporary restraining order (“TRO”) on construction pending resolution of the legal issues in this case. The Tribe’s joinder is supported

by the Second Declaration of Standing Rock Chairman Dave Archambault, II, submitted herewith. The Tribe has amended its complaint to include legal claims under the Religious Freedom Restoration Act and First Amendment Right to Free Exercise of Religion. See ECF 106-1. As explained in the Second Archambault Declaration, the Tribe and its members—like the Cheyenne River Sioux Tribe and its members—are irreparably harmed by ongoing construction at the Lake Oahe crossing site, and are entitled to emergency injunctive relief pending resolution of the Tribe's legal claims on the merits. Based on the schedule communicated to the Court during the status conference on February 6, 2017, the Tribe believes that the merits claims can be resolved prior to the start of pipeline operations and intends to file an expedited motion for partial summary judgment on the key issues expeditiously. Accordingly, this motion for a TRO seeks to enjoin ongoing construction until the merits claims are resolved.

Dated: February 10, 2017

Respectfully submitted,

/s/ Jan E. Hasselman

Patti A. Goldman, DCB # 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 Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2017, I electronically filed the foregoing *Standing Rock Sioux Tribe's Joinder in Motion for Temporary Restraining Order* with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the attorneys of record and all registered participants.

/s/ Jan E. Hasselman

Jan E. Hasselman