

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

The State of LOUISIANA,
By and through its Attorney General,
Elizabeth B. Murrill; et al.,

PLAINTIFFS,

v.

Joseph R. BIDEN, Jr. in his official capacity as
President of the United States; et al.,

DEFENDANTS.

Civil Action No. 2:24-cv-00406-JDC-TPL

Judge James D. Cain, Jr.
Magistrate Judge Thomas P. LeBlanc

Motion for a Stay Under 5 U.S.C. § 705 or Preliminary Injunction

The State of Louisiana—along with the States of Alabama, Alaska, Arkansas, Florida, Georgia, Kansas, Mississippi, Montana, Nebraska, Oklahoma, South Carolina, Texas, Utah, West Virginia, and Wyoming (collectively “Plaintiff States”)—respectfully move this Court for an order under 5 U.S.C. § 705 granting a stay, or for an order under Rule 65 of the Federal Rules of Civil Procedure granting a preliminary injunction, with expedited consideration, in their favor against the named Defendants in their official capacities. As alleged in the Complaint and shown in the attached Memorandum, Defendants have violated the law, including the Natural Gas Act and Administrative Procedure Act, by issuing and implementing a blanket ban on consideration of new applications to export liquified natural gas (“LNG Export Ban”) to non-Free Trade Agreement countries.

This Motion is made on the grounds specified in this Motion, the Complaint, the accompanying Memorandum of Law, the exhibits attached to this Motion, all matters of which this Court may take judicial notice, and on such other and further oral or documentary evidence as may be presented to the Court at or before the hearing on this Motion. Plaintiff States are substantially likely to prevail on the merits of their claims, and a stay or preliminary injunction is necessary to

mitigate substantial and irreparable injuries to Plaintiff States. Moreover, the requested relief will serve the public interest and not harm Defendants.

For these reasons and those explained in the attached Memorandum, Plaintiff States respectfully request a stay of the LNG Export Ban or a preliminary injunction prohibiting Defendants from enforcing the LNG Export Ban. Plaintiff States also ask the Court to order Defendants to file reports showing Defendants are not improperly implementing the LNG Export Ban by pausing determinations on applications for export of LNG to non-Free Trade Agreement countries.

Dated: March 28, 2024

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Respectfully submitted,

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**Pro Hac Vice admission application pending or
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CERTIFICATE OF SERVICE

I hereby certify that, on this date, I caused the foregoing document (along with all of its attachments) to be served by email to the following counsel for Defendants under Federal Rule of Civil Procedure 5(b)(E):

Jeffrey Scott Thomas
Thomas Snodgrass
Maggie Woodward
Jeffrey Candrian

On March 28, 2024, Mr. Thomas agreed in writing to accept service of this motion by email.

This the 28th day of March, 2024.

/s/ Morgan Brungard
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