

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

STANDING ROCK SIOUX TRIBE,)	
)	
Plaintiff,)	
)	
and)	
)	
CHEYENNE RIVER SIOUX TRIBE,)	
)	
Plaintiff-Intervenor,)	
)	
v.)	Case No. 1:16-cv-01534 (JEB)
)	(consolidated with Cases No.
UNITED STATES ARMY CORPS OF)	1:16-cv-01796 & 1:17-cv-00267)
ENGINEERS,)	
)	
Defendant,)	
)	
and)	
)	
DAKOTA ACCESS, LLC,)	
)	
Defendant-Intervenor.)	
)	

**UNITED STATES ARMY CORPS OF ENGINEERS’ MOTION FOR
A CONTINUANCE OF FEBRUARY 10, 2021 STATUS CONFERENCE**

The United States Army Corps of Engineers hereby seeks a continuance of the February 10, 2021 status conference for fifty-eight days in order for the United States Department of Justice to brief new officials regarding this case. The Corps therefore respectfully requests a continuance of the status conference in this case until April 9, 2021. In support of this motion the Corps states the following:

- 1) On January 8, 2021, the Plaintiff Tribes filed their reply brief in support of their motion for an injunction. ECF No. 586.
- 2) On January 27, 2021, the Court issued an order requiring the parties to “appear for a

status hearing on February 10, 2021, at 11:00 a.m. to discuss both the impact of yesterday's Court of Appeals decision on Plaintiffs' pending motion and how the Corps expects to proceed given the vacating of the easement.”

3) Department of Justice personnel require time to brief the new administration officials and those officials will need sufficient time to learn the background of and familiarize themselves with this lengthy and detailed litigation. A continuance of fifty-eight days will permit new appointees to be briefed appropriately.

4) Plaintiffs Standing Rock Sioux Tribe, Cheyenne River Sioux Tribe, Oglala Sioux Tribe, and Yankton Sioux Tribe do not oppose this motion.

5) Defendant-Intervenor Dakota Access opposes this motion.

Dated: February 8, 2021

Respectfully submitted,

JEAN E. WILLIAMS
Acting Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division

By: /s/ Matthew Marinelli
REUBEN SCHIFMAN, NY BAR
MATTHEW MARINELLI, IL Bar 6277967
U.S. Department of Justice
Natural Resources Section
P.O. Box 7611
Benjamin Franklin Station
Phone: (202) 305-4224 (Schifman)
Phone: (202) 305-0293 (Marinelli)
Fax: (202) 305-0506
reuben.schifman@usdoj.gov
matthew.marinelli@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, Matthew Marinelli, hereby certify that on February 8, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and copies will be sent electronically to the registered participants as identified in the Notice of Electronic Filing.

/s/ Matthew Marinelli
MATTHEW MARINELLI