

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

RED LAKE BAND OF CHIPPEWA INDIANS,  
WHITE EARTH BAND OF OJIBWE, HONOR  
THE EARTH, and SIERRA CLUB,

Plaintiffs,

v.

UNITED STATES ARMY CORPS OF  
ENGINEERS,

Defendant.

Case No. 1:20-cv-3817

MOTION FOR PRELIMINARY  
INJUNCTION

Pursuant to LCvR 65.1, Plaintiffs Red Lake of Chippewa Indians, White Earth Band of Ojibwe, Honor the Earth, and Sierra Club hereby respectfully move this Court to preliminarily enjoin the U.S. Army Corps of Engineers to withdraw the permit issued on November 23, 2020 authorizing Enbridge Energy to discharge dredged and fill material into 1050.71 acres of waters of the United States for construction activities associated with the Line 3 project. The basis for such injunction is contained in the memorandum of points and authorities in support of this motion filed herewith, and the declarations attached thereto. In addition, Plaintiffs respectfully move for an expedited hearing.

Accordingly, Plaintiffs respectfully move this Court to preliminarily enjoin the Army Corps of Engineers and schedule an expedited hearing.

Dated: December 24, 2020

Respectfully submitted,

*s/Seth Johnson*

Seth L. Johnson, D.C. Bar No. 1001654  
Earthjustice  
1001 G St. NW, Ste. 1000  
Washington, D.C. 20001  
(202) 667-4500  
[sjohnson@earthjustice.org](mailto:sjohnson@earthjustice.org)

Moneen Nasmith  
*[Pro Hac Vice Application Pending]*  
Alexis Andiman  
*[Pro Hac Vice Application Pending]*  
Mekela Panditharatne  
*[Pro Hac Vice Application Pending]*  
Earthjustice  
48 Wall Street, 15<sup>th</sup> Floor  
New York, NY 10005  
(212) 845-7376  
[mnasmith@earthjustice.org](mailto:mnasmith@earthjustice.org)  
[aandiman@earthjustice.org](mailto:aandiman@earthjustice.org)  
[mpanditharatne@earthjustice.org](mailto:mpanditharatne@earthjustice.org)

*Attorneys for Plaintiffs*