

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA**

STATE OF LOUISIANA, ET AL.

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official capacity
as President of the United States, ET AL.

Defendants.

Case No. 2:21-cv-00778

Honorable Judge Terry A. Doughty

Magistrate Judge Kathleen Kay

**DEFENDANTS' MEMORANDUM IN OPPOSITION TO
PLAINTIFFS' MOTION FOR ORDER TO SHOW CAUSE AND COMPEL
COMPLIANCE WITH PRELIMINARY INJUNCTION**

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INTRODUCTION

When this Court's preliminary injunction decision issued on June 15, the Department of the Interior immediately announced it would comply with that decision, and it has. Although Defendants respectfully disagree with the Court's ruling, they are proceeding with leasing consistent with the Court's injunction pending their appeal. Over the last ten weeks, Interior has devoted more than 650 person-hours toward holding further proposed sales under the operative five-year program, including Lease Sales 257 and 258. The agency has also directed considerable resources toward onshore leasing activities. And that work has put Interior on track to publicly announce both onshore and offshore leasing activity by August 31. Interior is complying with the June 15 Order (Doc. 140), and Plaintiffs have not justified the need for an order of enforcement, much less the extraordinary remedy of contempt.

Plaintiffs nonetheless argue that Interior has "acted as if this Court's findings, conclusions of law, and compulsory order do not exist," Doc. 149-1 at 4, and rely heavily on Secretary Haaland's testimony before the Senate Committee on Energy and Natural Resources despite her testifying at least six times that the Interior Department was complying with the Court's Order. Neither Plaintiffs' assertions nor a proper read of the Secretary's testimony lend support to their motion.

Because Plaintiffs have no evidence that Interior has acted or failed to act in violation of the Court's Order, the Court should deny their motion. The Court should also decline Plaintiffs' requests to modify its Order in ways that would exceed the Court's jurisdiction.

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