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Counsel for TransCanada Keystone Pipeline, LP and TC Energy Corporation

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

INDIGENOUS ENVIRONMENTAL
NETWORK and NORTH COAST RIVERS
ALLIANCE,

Plaintiffs,

vs.

PRESIDENT DONALD J. TRUMP,
UNITED STATES DEPARTMENT OF
STATE; MICHAEL R. POMPEO, in his
official capacity as U.S. Secretary of State;
UNITED STATES ARMY CORPS OF
ENGINEERS; LT. GENERAL TODD T.
SEMONITE, Commanding General and
Chief of Engineers; UNITED STATES FISH
AND WILDLIFE SERVICE, a federal
agency; GREG SHEEHAN, in his official
capacity as Acting Director of the U.S. Fish
and Wildlife Service; UNITED STATES
BUREAU OF LAND MANAGEMENT, and
DAVID BERNHARDT, in his official

CV 19-28-GF-BMM

**TC ENERGY CORPORATION
AND TRANSCANADA
KEYSTONE PIPELINE, LP'S
RENEWED MOTION TO
DISMISS FOR MOOTNESS**

capacity as Acting U.S. Secretary of the Interior,

Defendants,

TRANSCANADA KEYSTONE PIPELINE, LP, a Delaware limited partnership, and TC ENERGY CORPORATION, a Canadian Public company,

Defendant-Intervenors.

Defendants TransCanada Keystone Pipeline, LP and TC Energy Corporation hereby move to dismiss all claims in the Amended Complaint for Declaratory and Injunctive Relief, filed on July 18, 2019 (Doc. 37).

As set forth in the Memorandum in Support accompanying this motion, the claims in the Complaint should be dismissed pursuant to Federal Rules of Civil Procedure 7(b) and 12(h) for mootness.

Pursuant to Local Rule 7.1(c)(1), counsel for TC Energy contacted counsel for the parties regarding the filing of this motion. Plaintiffs represented that they will oppose the motion. Federal Defendants do not oppose the motion and agree that the case is moot.

Dated: June 30, 2021

Respectfully Submitted,

CROWLEY FLECK PLLP

SIDLEY AUSTIN LLP

/s/ Jeffery J. Oven
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/s/ Peter C. Whitfield
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CERTIFICATE OF SERVICE

I hereby certify that I electronically served today a copy of the foregoing by using the Court's CM/ECF system on all counsel of record.

/s/ Jeffery J. Oven
Jeffery J. Oven