

**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-1796 & 1:17-cv-00267)
ENGINEERS,)	
)	
Defendant,)	
)	
and)	
)	
DAKOTA ACCESS, LLC,)	
)	
Defendant-Intervenor.)	

**DEFENDANT’S MOTION FOR EXTENSION OF TIME TO RESPOND TO
CHEYENNE RIVER SIOUX TRIBE’S MOTION TO SUPPLEMENT THE
ADMINISTRATIVE RECORD AND CONSIDER DOCUMENTS OUTSIDE THE
ADMINISTRATIVE RECORD**

Pursuant to Rule 7 of the Federal Rules of Civil Procedure, Defendant United States Army Corps of Engineers (“Corps”) hereby respectfully moves for a one-week extension of the deadline for responding to the Cheyenne River Sioux Tribe’s (“Cheyenne River”) motion to Supplement Administrative Record and Consider Documents Outside the Administrative Record. ECF No. 220. This is the Corps’ first such motion. Plaintiff-Intervenor Cheyenne River Sioux Tribe does not oppose this motion. In support of its motion, the Corps states the following:

1. The Corps lodged administrative records on November 10, 2016, and March 21, 2017. ECF Nos. 55, 181.
2. The Corps added additional documents to the administrative records on May 5, 2017. ECF No. 221.
3. Cheyenne River moved to supplement the administrative records on May 4, 2017. ECF No. 220.
4. Pursuant to Local Rule 7(b), the Corps' response to Cheyenne River's Motion is due by May 18, 2017.
5. During the week of May 8-12, 2017, Matt Marinelli, counsel for the Corps, is out of the office and unable to draft a response to Cheyenne River's Motion.
6. Counsel for the Corps conferred with counsel for Cheyenne River who represented they did not object to the proposed extension.
7. The granting of this extension will not cause undue injury or prejudice to the Parties' interests in this case. Rather, the extension would allow the Corps sufficient time to confer with agency counsel regarding the documents Cheyenne River seeks to add to the record, coordinate a well-researched response to Cheyenne River's Motion, and obtain the requisite review and approvals from Corps and Department of Justice officials to fully develop the United States' arguments for the Court.

WHEREFORE, the United States Corps of Engineers, through undersigned counsel, respectfully requests that the Court grant this Motion and extend the deadline for the Corps to file its Opposition to Cheyenne River Sioux Tribe's Motion to Supplement the Administrative Record by seven days, up to and including May 25, 2017.

Dated: May 11, 2017

Respectfully submitted,

JEFFREY H. WOOD
Acting Assistant Attorney General
Environment & Natural Resources Division

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CERTIFICATE OF SERVICE

I hereby certify that, on the 11th day of May, 2017, a copy of the foregoing was filed through the Court's CM/ECF management system and electronically served on counsel of record.

/s/ Reuben S. Schiffman

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