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

CENTER FOR BIOLOGICAL
DIVERSITY, et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, et
al.,

Defendants.

Case No. 3:23-cv-00061-SLG

**STIPULATED MOTION TO EXPEDITE
AND SET SCHEDULE FOR MOTIONS FOR PRELIMINARY INJUNCTION**

The Parties hereby agree and stipulate, and respectfully ask the Court to expedite

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resolution of preliminary injunction motions in Case Nos. 3:23-cv-00058-SLG and 3:23-cv-00061-SLG, as follows:

1. On March 13, 2023, Federal Defendants approved ConocoPhillips Alaska, Inc. (“ConocoPhillips”) to proceed with the Willow project in the National Petroleum Reserve-Alaska.

2. On March 13, 2023, ConocoPhillips proceeded to start construction with the building of ice roads to the location where it will open a gravel mine. ConocoPhillips expects that ice road construction will be complete on March 19 or 20, 2023, at which point ConocoPhillips will be ready to begin surface-disturbing activities at the mine site. ConocoPhillips’ planned scope of work for this winter includes opening the mine, using gravel from the mine to extend the road from GMT-2 up to 3.1 miles toward the future location of the Willow project, and beginning construction of a subsistence boat ramp on the Ublutuoch River.

3. The annual winter construction season in the Arctic is short. The current winter construction season is expected to end on approximately April 25, 2023. Because the approval to proceed with the Willow project came late in the season, ConocoPhillips has a limited window remaining (presently about 40 days) to complete the scope of work.

4. On March 13, 2023, ConocoPhillips notified Plaintiffs’ counsel of its construction plans.

5. On March 14, 2023, Plaintiffs filed their respective complaints. Plaintiffs intend to seek preliminary injunctive relief prior to the commencement of surface-disturbing activities.

6. Plaintiffs, Defendants, and ConocoPhillips met and conferred about an expedited schedule to address Plaintiffs' planned requests for preliminary injunctive relief. All parties agreed that an expedited schedule was necessary and appropriate.

7. To facilitate this Court's review of the preliminary injunction motions, ConocoPhillips stipulates that it will not commence surface-disturbing construction activities at the mine until April 4, 2023 (unless the Court issues a decision denying Plaintiffs' motions before that date).

8. ConocoPhillips believes this date leaves ConocoPhillips with only 21 days (weather-dependent) to attempt to complete the planned scope of work. Any further delay would compromise or prevent the viability of the construction season. ConocoPhillips' concession on this schedule is not an admission that any of the planned activities causes irreparable harm.

9. In agreeing to this schedule and seeking a decision by April 3, 2023, if possible, Plaintiffs do not concede that preserving any window for construction activity is necessary or appropriate.

10. Accordingly, the Parties ask the Court to enter the following expedited schedule:

A. On March 16, 2023, Plaintiffs will file their motions for preliminary injunctive relief.

B. On March 24, 2023, Federal Defendants and any Intervenor-Defendants will file response briefs in opposition to the pending preliminary injunction motions.

Federal Defendants and each Intervenor-Defendant may file a single opposition brief in

response to both motions and agree to coordinate as practicable to avoid redundancy in their briefs.

C. On March 28, 2023, Plaintiffs may each file a single brief in reply to the opposition briefs.

D. No party intends to request a hearing on the pending preliminary injunction motions.

E. The parties request that the Court issues a ruling on this matter as soon as practicable after March 28, 2023, but not later than April 3, 2023.

DATED: March 16, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2023, a copy of the foregoing was served by electronic means on all counsel of record by the Court's CM/ECF system.

/s/ Paul A. Turcke
Paul A. Turcke