

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

SOVEREIGN IÑUPIAT FOR A
LIVING ARCTIC, *et al.*,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT,
et al.,

Defendants,

and

CONOCOPHILLIPS ALASKA,
INC., *et al.*,

Intervenor-Defendants.

Case No. 3:20-cv-00290-SLG

**PLAINTIFFS' RESPONSE TO STATE OF ALASKA'S MOTION TO
INTERVENE**

Plaintiffs Sovereign Iñupiat for a Living Arctic et al. (SILA), do not oppose the State of Alaska's (State) Motion to Intervene (ECF No. 92). SILA, however, disputes the State's argument in its Memorandum in Support of its Motion to Intervene that plaintiffs would suffer no prejudice from the State's intervention because SILA should have assumed the State would seek to intervene. (ECF No. 92-1 at 6). The State submitted an amicus brief in response to SILA's motion for a preliminary injunction over four months

ago, but now seeks to intervene after SILA and the other parties already agreed to an accelerated timeline for briefing. (ECF No. 23).

Intervenor-Defendant ConocoPhillips Alaska Inc.'s expressed its desire to resolve this litigation quickly, in statements both to this Court and the media. *See* ConocoPhillips Alaska, Inc.'s Opposition to Plaintiffs' Motion for Clarification and Reconsideration (ECF No. 69); Elwood Brehmer, *ConocoPhillips requests July decision on Willow suit*, ALASKA JOURNAL OF COMMERCE (Feb. 24, 2021), available at: <https://www.alaskajournal.com/2021-02-24/conocophillips-requests-july-decision-willow-suit>.

Nonetheless, the State seeks to intervene nearly five months after SILA commenced the case, two months after ConocoPhillips made clear it was seeking prompt resolution of this litigation, and after the parties negotiated a briefing schedule with a short timeframe for SILA to file a reply brief. (ECF No. 85). At this time, it is unclear whether SILA will also have to respond to briefing from additional defendant-intervenors or amici in this litigation (*see, e.g.*, ECF No. 29 (amicus brief from Arctic Slope Regional Corporation, Inc.)), which may warrant additional time for SILA to prepare its reply brief or necessitate an over length reply. SILA raised these concerns to counsel for the State prior to the State's filing of its motion and asked the State if it would agree to a shortened brief length to minimize the prejudice to Plaintiffs from having already agreed to a briefing schedule, but the State would not agree and filed its motion prior to counsel for

SILA having had an opportunity to confer with their clients on their position. As such, SILA offers this response to explain its position on the State's motion to intervene, and reserves the right to seek a reasonable extension of time and/or length for its reply to provide an adequate opportunity to respond to the additional briefing.

Respectfully submitted this 19th day of April, 2021,

s/ Bridget Psarianos
Bridget Psarianos (AK Bar No. 1705025)
Suzanne Bostrom (AK Bar No. 1011068)
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TRUSTEES FOR ALASKA

Attorneys for Plaintiffs

Certificate of Service

I certify that on April 19, 2021, I caused a copy of the NOTICE REGARDING TRANSCRIPTS to be electronically filed with the Clerk of the Court for the U.S. District Court of Alaska using the CM/ECF system, which will send electronic notification of such filings to the attorneys of record in this case. Attorneys of record not registered in the CM/ECF system for this case will be served via electronic mail.

s/ Bridget Psarianos
Bridget Psarianos