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Attorneys for Petitioners Western Energy Alliance and the Independent Petroleum Association of America

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

WESTERN ENERGY ALLIANCE, and the)
INDEPENDENT PETROLEUM)
ASSOCIATION OF AMERICA,)
Petitioners,)
v.)
SALLY JEWELL, in her official capacity as)
Secretary of the United States Department of)
the Interior, and BUREAU OF LAND)
MANAGEMENT,)
Respondents.)

Civil Case No. 2:16-cv-00280-SWS

MOTION FOR PRELIMINARY INJUNCTION

Petitioners Western Energy Alliance (Alliance)¹ and the Independent Petroleum Association of America (IPAA)² respectfully submit this motion requesting that the Court issue a

¹ The declaration attached as Exhibit 1 to this motion describes the Alliance, its membership, and the Alliance’s involvement in the rulemaking that is the subject of this litigation.

² The declaration attached as Exhibit 2 to this motion describes IPAA, its membership, and the IPAA’s involvement in the rulemaking that is the subject of this litigation.

preliminary injunction under 5 U.S.C. § 705, enjoining Respondent Bureau of Land Management (BLM) from applying BLM's recently-issued rule related to the reduction of venting and flaring from oil and gas production on federal and Indian lands, 81 Fed. Reg. 83,008 (Nov. 18, 2016), (the Rule) until the resolution of this litigation. Petitioners request that the Court enjoin the Rule before it takes effect on January 17, 2017.

As stated in the memorandum submitted in support of this motion, injunctive relief is necessary because the Rule represents unlawful and unconstitutional agency action. Additionally, the application of the Rule will cause the Petitioners and the Petitioners' members immediate and irreparable harm, and the balance of equities and public interest favor a preliminary injunction.

CERTIFICATE OF CONFERRAL

The undersigned counsel for Petitioners certify that Petitioners' counsel conferred with United States Department of Justice Environment and Natural Resources Division (DOJ/ENR) counsel via telephone regarding a voluntary stay of the Rule until the resolution of this litigation. DOJ/ENR advised Petitioners that they will not agree to a voluntary stay.

Respectfully submitted this 23rd day of November, 2016.

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By: /s/ Eric P. Waeckerlin

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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of November, 2016, the foregoing **MOTION FOR A PRELIMINARY INJUNCTION** was filed electronically with the Court, using the CM/ECF system, which caused the foregoing to be served electronically upon the following:

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*Attorneys for The Honorable Sally Jewell
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Bureau of Land Management*

s/ Kathleen M. Daily

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