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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MONTANA ENVIRONMENTAL)	Case No. 9:15-cv-00106-DWM
INFORMATION CENTER,)	
)	
Plaintiff,)	
)	SIGNAL PEAK ENERGY, LLC'S
vs.)	EMERGENCY MOTION TO
)	AMEND JUDGMENT, MOTION
UNITED STATES OFFICE OF)	FOR REMEDIES HEARING, AND
SURFACE MINING, an agency within)	MOTION TO STAY INJUNCTION
the U.S. Department of Interior, <i>et al.</i> ,)	PENDING REMEDIES HEARING
)	
Defendants.)	
)	
and)	
)	
SIGNAL PEAK ENERGY, LLC,)	
)	
Defendant-Intervenors.)	

Pursuant to Fed. R. Civ. P. 59(e), Defendant-Intervenor Signal Peak Energy, LLC moves the Court to amend the remedy in this case. This relief is necessary because the parties have not presented argument or evidence on the appropriate remedy, it is the Plaintiff's burden to demonstrate that a permanent injunction should issue, and the Court's Order (Doc. 60) does not address the prescribed equitable factors. *See Monsanto Co. v. Geertson Seed Farms*, 561 U.S. 139, 156-57 (2010). As further set forth in the accompanying brief, the Court should stay its

order of vacatur and permanent injunction, set an expedited briefing schedule for the parties to present necessary argument, schedule an expedited date for a hearing, and reconsider the remedies in this case after full consideration of the equitable factors.

Signal Peak, LLC has contacted counsel for the other parties in the case. The Government intends to join the motion. Plaintiff has not yet taken a position on the motion.

Dated this 11th day of September, 2017.

/s/ Brian Murphy

Brian Murphy

Attorney for Signal Peak Energy, LLC

CERTIFICATE OF SERVICE

I, the undersigned counsel of record, hereby certify that on this 11th day of September, 2017, I filed a copy of this document electronically through the CM/ECF system, which caused all parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

/s/ Brian Murphy
Brian Murphy

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