

1 John W. Larson
2 District Court Judge
3 Department No. 3
4 Fourth Judicial District
5 200 West Broadway
6 Missoula, Montana 59802
7 (406) 258-4773

8
9 MONTANA FOURTH JUDICIAL DISTRICT COURT
10 MISSOULA COUNTY

11 COUNTY OF MISSOULA, NATIONAL)	Cause. No. DV-11-424
12 WILDLIFE FEDERATION, MONTANA)	
13 ENVIRONMENTAL INFORMATION)	Dept. No. 3
14 CENTER, MONTANA CHAPTER OF THE)	
15 SIERRA CLUB,)	
16 Plaintiffs,)	TEMPORARY RESTRAINING
17 vs.)	ORDER AND ORDER TO SHOW
18)	CAUSE
19 MONTANA DEPARTMENT OF)	
20 TRANSPORTATION, an agency of the)	
21 State of Montana, and JIM LYNCH, in his)	
22 capacity as Director of Montana)	
23 Department of Transportation,)	
24 Defendants.)	

25 Based upon Plaintiffs' TRO Motion and Brief, and for good cause
26 appearing, a Restraining Order is hereby entered against Defendant the
Department of Transportation and the Defendant-Intervenor Imperial Oil
Resources Ventures Limited who are hereby enjoined and restrained from
the following activities:

1. Issuing any encroachment permits or other authorizations for any construction, installation, expansion, or other ground-disturbing activity that is identified in the Kearl Module Transport Project

1 (KMTP) EA and/or FONSI, or that is intended to prepare for the
2 KMTP loads, and beginning any such activity;

- 3 2. Issuing any 32-J (over-dimension) permits, "special use" permits or
4 other authorizations, to Imperial Oil to transport oversize loads over
5 the route identified in the KMTP EA and/or FONSI, amending or
6 extending timelines on any such existing permits, including any load
7 labeled a "test" load, and transporting any such loads;
- 8 3. Issuing any permits or other authorizations that would allow any
9 activity identified and/or approved through the KMTP EA and/or
10 FONSI, acting on any such already issued permits or
11 authorizations.
- 12 4. It is further ordered that Montana Department of Transportation
13 revoke any permits already issued that are connected to the KMTP.
- 14 5. It is further ordered that Defendant Montana Department of
15 Transportation and Defendant-Intervenor Imperial Oil shall appear
16 in this Court at ___ on ___ day of ____, 2011 to show cause why
17 this order shall not be made to continue until the Complaint in this
18 matter can be resolved on the merits.
- 19 6. This Order shall be served on Defendant and Defendant-Intervenor
20 as required by law.

21 DATED this ___ day of ____, 2011.

22 _____
23 Hon. District Judge Larson
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