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State of North Dakota*

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

WESTERN ORGANIZATION OF )  
RESOURCE COUNCILS and )  
FRIENDS OF THE EARTH, )

*Plaintiffs,* )

v. )

SALLY JEWELL, in her capacity as )  
Secretary of the Interior, )  
DEPARTMENT OF THE INTERIOR, )  
NEIL KORNZE, in his capacity as )  
Director, Bureau of Land Management, )  
BUREAU OF LAND MANAGEMENT, )

*Defendants.* )

Case No. 1:14-cv-01993-RBW

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**STATE OF NORTH DAKOTA’S MOTION TO DISMISS**

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The State of North Dakota moves this Court to dismiss Plaintiffs’ Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief may be granted. The State of North Dakota has submitted a

memorandum of law in support of this motion and a proposed order. As explained in the memorandum, the State of North Dakota respectfully requests that the Court grant the motion and dismiss the Complaint with prejudice.

Respectfully submitted this 19th day of February, 2015.

/s/ Paul M. Seby

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