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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

MONTANA ENVIRONMENTAL
INFORMATION CENTER,
WILDEARTH GUARDIANS, and
CENTER FOR BIOLOGICAL
DIVERSITY,

Plaintiffs,

v.

OFFICE OF THE SECRETARY OF
THE INTERIOR; OFFICE OF THE
SOLICITOR, DEPARTMENT OF
THE INTERIOR; and BUREAU OF
LAND MANAGEMENT;

Defendants.

Case No.: CV-22-29-GF-BMM

**COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

INTRODUCTION

1. In this action, brought under the Freedom of Information Act, 5 U.S.C. § 552, *as amended* (“FOIA”), the Montana Environmental Information Center,
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WildEarth Guardians, and Center for Biological Diversity (collectively, “Plaintiffs” or “Conservation Groups”) challenge the Office of the Secretary of the Interior (“Office of the Secretary”); the Office of the Solicitor, Department of the Interior (“Office of the Solicitor”); and the Bureau of Land Management’s (“BLM”) (collectively, “Defendants”) violation of FOIA with respect to Conservation Groups’ FOIA request numbers DOI-OS-2022-000957, DOI-SOL-2022-000958, and DOI-BLM-2022-000959.

2. On January 27, 2021, President Joseph R. Biden issued Executive Order 14008, entitled “Tackling the Climate Crisis at Home and Abroad,” 86 Fed. Reg. 7619. Section 208 of the Order directed the Department of Interior (“Interior”) to complete:

a comprehensive review and reconsideration of Federal oil and gas permitting and leasing practices in light of the Secretary of the Interior’s broad stewardship responsibilities over the public lands and in offshore waters, including potential climate and other impacts associated with oil and gas activities on public lands or in offshore waters . . . in consultation with the Secretary of Agriculture, the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and the Secretary of Energy.

3. In response, on November 26, 2021, Interior released the document entitled “Report on the Federal Oil and Gas Leasing Program Prepared in Response to Executive Order 14008, Section 208.”¹ The Report mentions the term

¹ “Report on the Federal Oil and Gas Leasing Program Prepared in Response to Executive Order 14008, Section 208” (Nov. 26, 2021), available at

“climate change” only three times, once in the title of Executive Order 14008, and twice in passing. Contrary to the language of Executive Order 14008, the Report does not address “potential climate ... impacts associated with oil and gas activities on public lands or in offshore waters.” Instead, the Report “focuses primarily on necessary reforms to the fiscal terms, leasing process, and remediation requirements related to deficiencies with the federal oil and gas program, which are well documented.”

4. Plaintiffs submitted a FOIA request to Defendants and to the Bureau of Ocean Energy Management (“BOEM”) on December 2, 2021, seeking records associated with Interior’s response to Executive Order 14008. In part, Plaintiffs wished to determine whether and to what extent Interior and its agencies had considered the President’s directive to address “climate impacts ... associated with oil and gas activities on public lands or in offshore waters.” As of the filing of this Complaint, Defendants have failed to produce any records responsive to Plaintiffs’ FOIA request.²

<https://www.doi.gov/sites/doi.gov/files/report-on-the-federal-oil-and-gas-leasing-program-doi-eo-14008.pdf> (last accessed March 17, 2022).

² On Feb. 12 and March 14, 2022, BOEM released its first and second interim responses, respectively, to the Conservation Groups’ FOIA request, and provided an estimated completion date of April 2022. In its first and second interim responses, BOEM completely withheld 75 percent of the documents included in the two releases (1,404 pages withheld and 39 pages redacted out of 1,867 pages “released”) through its assertion of various FOIA exemptions. The Conservation

5. Prompt access to these records is necessary to effectuate FOIA's purpose of transparency. Moreover, the records at issue pertain to and are likely to have informed actions currently being taken by Interior, including anticipated first quarter 2022 Federal Oil and Gas Lease Sales. Additionally, Executive Order 14008 recognizes that "[t]he United States and the World face a profound climate crisis. We have a narrow moment to pursue action at home and abroad in order to avoid the most catastrophic impacts of that crisis and to seize the opportunity that tackling climate change presents."

6. Plaintiffs are organizations whose work is focused on the urgency of tackling the climate crisis and who understand the necessity for immediate action. Plaintiffs wish to understand why, given the Government's apparent recognition of this urgency, as articulated in Executive Order 14008, the Report issued in response does not more directly address the ways in which federal fossil fuel production contributes to the climate crisis or could be modified to lessen that impact. Plaintiffs therefore seek from the Court declaratory relief establishing that Defendants violated FOIA, and injunctive relief directing Defendants to conduct an adequate search and to release any improperly withheld records without any further delay.

Groups will be pursuing an administrative appeal of BOEM's responses concurrently with this lawsuit.

JURISDICTION AND VENUE

7. This Court has jurisdiction over this matter pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331 because this action arises under FOIA.

8. Venue is proper in this Court pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e)(1) because Plaintiff Montana Environmental Information Center maintains its principal place of business in Montana, and no real property is involved in this action. Plaintiffs WildEarth Guardians and Center for Biological Diversity are located, have offices, and/or have members who reside in Montana.

9. This case should be assigned to the Great Falls Division of this Court because Plaintiff Montana Environmental Information Center maintains its principal office in Helena, Montana, and this inquiry directly relates to actions that will be taken to advance the federal oil and gas leasing program in Montana, including lease sales scheduled to be held in the first quarter of 2022 in Fallon, Powder River, Richland, and Roosevelt counties. L.R. 1.2(c)(3). Plaintiffs have previously brought actions challenging federal oil and gas lease sales in the Great Falls Division due to the geographic proximity of BLM conducted lease sales.

10. Injunctive relief is appropriate under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 2202.

11. Declaratory relief is appropriate under 28 U.S.C. § 2201.

PARTIES

12. Plaintiff MONTANA ENVIRONMENTAL INFORMATION CENTER is a non-partisan, nonprofit environmental advocacy group based in Helena, Montana and dedicated to ensuring clean air and water for Montana's future generations. The Montana Environmental Information Center and its members are harmed by Defendants' violations of FOIA, as such violations preclude the Montana Environmental Information Center from gaining a full understanding of Interior's "comprehensive review and reconsideration" of the federal oil and gas leasing program in response to Executive Order 14008, "Tackling the Climate Crisis at Home and Abroad." Defendants' failure to comply with FOIA harms the Montana Environmental Information Center's ability to provide full, accurate and current information to the public on a matter of public interest. Absent this information, the Montana Environmental Information Center cannot advance its mission to ensure clean air and water for Montana.

13. Plaintiff WILDEARTH GUARDIANS is a nonprofit membership organization dedicated to protecting and restoring the wildlife, wild places, wild rivers, and health of the American West through activism, legal action, and public education. WildEarth Guardians has more than 200,000 members and supporters throughout the United States and Montana. WildEarth Guardians and its members are harmed by Defendants' violations of FOIA, as such violations preclude

WildEarth Guardians from gaining a full understanding of Interior’s “comprehensive review and reconsideration” of the federal oil and gas leasing program in response to Executive Order 14008, “Tackling the Climate Crisis at Home and Abroad.” Defendants’ failures to comply with FOIA harms WildEarth Guardians’ ability to provide full, accurate and current information to the public on a matter of public interest. Absent this information, WildEarth Guardians cannot advance its mission to protect and restore the wildlife, wild places, wild rivers, and health of the American West.

14. Plaintiff CENTER FOR BIOLOGICAL DIVERSITY is a national, non-profit conservation organization with offices throughout the United States, including in Montana. The Center for Biological Diversity has more than 74,000 members. The Center and its members are harmed by Defendants’ violations of FOIA, as such violations preclude the Center from gaining a full understanding of Interior’s “comprehensive review and reconsideration” of the federal oil and gas leasing program in response to Executive Order 14008, “Tackling the Climate Crisis at Home and Abroad.” Defendants’ failure to comply with FOIA harms the Center’s ability to provide full, accurate and current information to the public on a matter of public interest. Absent this information, the Center cannot advance its mission to protect native species and their habitat.

15. Defendant OFFICE OF THE SECRETARY OF THE INTERIOR is a

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federal agency within Interior. The Office of the Secretary is in possession and control of the records that Plaintiffs seek, and as such, it is subject to FOIA pursuant to 5 U.S.C. § 552(f). The Office of the Secretary is a federal entity responsible for applying and implementing the federal laws and regulations at issue in this complaint.

16. Defendant OFFICE OF THE SOLICITOR is a federal agency within Interior. The Office of the Solicitor is in possession and control of the records that Plaintiffs seek, and as such, it is subject to FOIA pursuant to 5 U.S.C. § 552(f). The Office of the Solicitor is a federal entity responsible for applying and implementing the federal laws and regulations at issue in this complaint.

17. Defendant BUREAU OF LAND MANAGEMENT is a federal agency within Interior. BLM is in possession and control of the records that Plaintiffs seek, and as such, it is subject to FOIA pursuant to 5 U.S.C. § 552(f). BLM is a federal entity responsible for applying and implementing the federal laws and regulations at issue in this complaint.

STATUTORY BACKGROUND

18. FOIA's basic purpose is to facilitate government transparency. FOIA requires federal agencies to release requested records to the public unless one or more specific statutory exemptions applies. 5 U.S.C. § 552(b)(1)-(9).

19. Within 20 working days of receiving a FOIA request, an agency must determine if it will release requested records and notify the requester of its determination and the reasons therefor, the right to seek assistance from the FOIA Public Liaison, and the right to appeal an adverse agency determination. *Id.* § 552(a)(6)(A)(i).

20. Only in “unusual circumstances” may an agency extend the time to make a final determination by no more than 10 additional working days, but it must provide written notice to the requester setting forth the unusual circumstances for the extension and “the date on which a determination is expected to be dispatched.” *Id.* § 552(a)(6)(B)(i). If the agency provides written notice that the request cannot be processed within the specified time limit, the agency shall provide “an opportunity to limit the scope of the request so that it may be processed within” the statutory time limit or “an opportunity to arrange with the agency an alternative time frame for processing the request or a modified request” and shall make available its FOIA Public Liaison to “assist in the resolution of any disputes between the requester and the agency.” *Id.* § 552(a)(6)(B)(ii).

21. FOIA requires each agency to make reasonable efforts to search for records in a manner that is reasonably calculated to locate records that are responsive to the FOIA request. *Id.* § 552(a)(3)(C)-(D). Using the date of a FOIA request as the cut-off date for its search is not always reasonable, while using the

date that the agency commences its search has consistently been found to be reasonable.

22. FOIA requires federal agencies to promptly disclose requested records. *Id.* § 552(a)(3)(A), (a)(6)(C)(i).

23. In certain limited instances, records may be withheld pursuant to nine specific exemptions. *Id.* § 552(b). These exemptions must be narrowly construed in light of FOIA’s dominant objective of disclosure, not secrecy.

24. FOIA permits an agency to withhold information “only if the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b)” or if “the disclosure is prohibited by law.” *Id.* § 552(a)(8)(A)(i).

25. FOIA places the burden on the agency to prove that it may withhold responsive records from a requester. *Id.* § 552(a)(4)(B).

26. FOIA provides this Court jurisdiction “to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complainant.” *Id.* § 552(a)(4)(B).

FACTUAL BACKGROUND

27. On January 27, 2021, President Biden issued Executive Order 14008, entitled “Tackling the Climate Crisis at Home and Abroad.” Section 208 of the Order directs Interior to complete “a comprehensive review and reconsideration of

the federal oil and gas leasing” program “in consultation with the Secretary of Agriculture, the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and the Secretary of Energy.”

28. On November 26, 2021, in response to Executive Order 14008, the Department of the Interior published its “Report on the Federal Oil and Gas Leasing Program Prepared in Response to Executive Order 14008, Section 208.”

29. On December 2, 2021, Plaintiffs submitted an electronic FOIA request, through counsel, via FOIA.gov. The FOIA request sought the following:

- Any and all documents or reports, or drafts, outlines, or portions of such documents or reports prepared by the Department of Interior or its subsidiary agencies, the Bureau of Land Management, and Bureau of Ocean Energy Management, collectively (“Interior”), between January 28, 2021 and November 25, 2021, in response to Section 208 of Executive Order 14008 of January 27, 2020, entitled “Tackling the Climate Crisis at Home and Abroad,” Fed. Reg. Vol. 86, No. 19.
- Any communications between Interior and other agencies regarding Section 208 of Executive Order 14008, in response to the Order’s direction that Interior complete “a comprehensive review and reconsideration of the federal oil and gas leasing” program “in consultation with the Secretary of Agriculture, the Secretary of

Commerce, through the National Oceanic and Atmospheric Administration, and the Secretary of Energy.”

- Any and all drafts or prior iterations or sections of the document titled “Report on the Federal Oil and Gas Leasing Program Prepared in Response to Executive Order 14008, Section 208, U.S. Department of the Interior, November 2021,” which was released on November 26, 2021, produced between January 28, 2021 and November 25, 2021.
- Any and all records regarding items 1-3, above, created, produced, or under the control of Interior, such records to include communications between or among appointed officials, employees, staff members, or consultants of Interior or other agencies, produced or sent between January 28, 2021 and November 25, 2021.

30. On December 3, 2021, Defendant Office of the Secretary acknowledged receipt of the FOIA request. The request was assigned control number DOI-OS-2022-000957 and placed on the “Normal” processing track.³ The

³ Interior uses a multitrack processing system, “to distinguish simple requests from more complex ones on the basis of the estimated number of workdays needed to process the request.” 43 C.F.R. 2.15. A “Normal” track “would generally take between six and twenty workdays to process.” *Id.* The Office of the Secretary identified a processing track for the Conservation Groups’ FOIA request as “Normal.” BOEM placed the request on the “Complex” track. Neither BLM nor the Office of the Solicitor notified Conservation Groups of the processing track for their responses.

Office of the Secretary also notified the Conservation Groups that it would take a 10-workday extension under 43 C.F.R. § 2.19, “[b]ecause we will need to search for and collect requested records from field facilities or other units that are separate from the office processing the request.” The estimated completion date identified for the request on FOIAonline.gov was January 19, 2022.⁴

31. On December 2, 2021, Defendant Office of the Solicitor acknowledged receipt of the FOIA request. The request was assigned control number DOI-SOL-2022-000958. The estimated completion date identified for the request on FOIAonline.gov was January 3, 2022.

32. On December 2, 2021, Defendant BLM acknowledged receipt of the FOIA request. The request was assigned control number BLM-2022-000959. There is no estimated completion date identified for this request.

33. On December 9, 2021, Plaintiffs’ counsel received an email from Lance Purvis, the FOIA contact for Defendant Office of the Solicitor, requesting a meeting to discuss the FOIA request. Plaintiffs’ counsel responded twice, on December 10, 2021 and January 3, 2022, but received no response from Mr. Purvis. Plaintiffs have received no further communication from Defendant Office of the Solicitor.

⁴ Once a FOIA request is submitted via FOIA.gov, an estimated completion date is generated automatically by applying 20 days from the request-received date unless modified by the processing agency.

34. On February 2, 2022, Plaintiffs, through counsel, sent a Notice of Violation to all Defendants and BOEM via email alerting Defendants that no determinations on the FOIA request were made within the statutory deadline and that Defendants were required to provide an estimated date on which the agencies will complete action on the request. Plaintiffs offered to assist Defendants in any way possible to facilitate the prompt and open determinations on their FOIA request. Finally, Plaintiffs requested that determinations be made on their FOIA request by February 17, 2022.

35. On February 8, 2022, Plaintiffs' counsel received an email from Tonya Kirksey, the processor with the Office of the Secretary's FOIA office assigned to the Plaintiffs' FOIA request. Ms. Kirksey acknowledged receipt of the Plaintiffs' February 2, 2022 Notice of Violation, and indicated that she expected to send an interim release of records by February 17, 2022. No records were provided, and Plaintiffs have received no further communication from the Office of the Secretary.

36. As of the date of this complaint, which is 52 workdays after the 20-workday determination deadline of January 3, 2022 applicable to BLM's and the Office of the Solicitor's determinations, and 42 workdays after the 30-workday determination deadline of January 17, 2022 for the Office of the Secretary, 5 U.S.C. § 552(a)(6)(A)(1), Plaintiffs have received no records and no additional

communications from Defendants regarding their FOIA request.

37. In connection with the FOIA request, Defendants Office of the Solicitor and BLM have not requested any additional information from Plaintiffs or notified Plaintiffs of any “unusual circumstances” that prevent Defendants from complying with FOIA’s deadline for a determination. 5 U.S.C. § 552(a)(6)(A)-(B). Defendant Office of the Secretary notified Plaintiffs that it would take a 10-workday extension, yet it still has not provided a determination.

38. Defendants’ failure to conduct an adequate search for responsive records and failure to provide all responsive records to Plaintiffs undermines FOIA’s primary purpose of transparency and openness in government.

39. Plaintiffs have been required to expend resources to prosecute this action.

40. Plaintiffs have fully exhausted all administrative remedies required by FOIA. 5 U.S.C. §§ 552(a)(6)(A), (a)(6)(C).

CLAIMS FOR RELIEF

COUNT I

Violation of the Freedom of Information Act: Determination Deadline Violation 5 U.S.C. § 552(a)(6)(A)(i), (ii)

41. The allegations made in all preceding paragraphs are re-alleged and incorporated by reference herein.

42. Plaintiffs have a statutory right to have Defendants process their FOIA request in a manner that complies with FOIA. 5 U.S.C. § 552(a)(3).

43. Plaintiffs' rights in this regard were violated when Defendants unlawfully failed to respond to Plaintiffs' FOIA request with determinations within the deadlines imposed by FOIA. *Id.* § 552(a)(6)(A)(i), (ii).

44. Based on the nature of the Conservation Groups' organizational activities, they will undoubtedly continue to employ FOIA's provisions in information requests to Defendants in the foreseeable future.

45. The Conservation Groups' organizational activities will be adversely affected if Defendants are allowed to continue to violation their rights to receive public records under FOIA.

46. Plaintiffs are entitled to reasonable costs of litigation, including attorney fees pursuant to FOIA, for this violation. *Id.* § 552(a)(4)(E).

COUNT II
Violation of the Freedom of Information Act:
Failure to Conduct an Adequate Search
5 U.S.C. § 552(a)(3)(C)-(D)

47. The allegations made in all preceding paragraphs are re-alleged and incorporated by reference herein.

48. Defendants were required to make reasonable efforts to search for records in a manner that is reasonably calculated to locate records that are responsive to the FOIA request. *Id.* § 552(a)(3)(C)-(D).

49. Defendants violated FOIA by unlawfully failing to undertake a search reasonably calculated to locate all records that are responsive to Plaintiffs' December 2, 2021, FOIA request. *Id.*

50. Plaintiffs' organizational activities will be adversely affected if Defendants are allowed to continue to violate FOIA's requirement to make reasonable efforts to search for records in a manner that is reasonably calculated to locate records that are responsive to the FOIA request.

51. Unless enjoined and made subject to a declaration of Plaintiffs' legal rights by this Court, Defendants will continue to violate the rights of Plaintiffs to receive public records under the FOIA.

52. Plaintiffs are entitled to reasonable costs of litigation, for this violation, including attorney fees pursuant to FOIA. 5 U.S.C. § 552(a)(4)(E).

COUNT III
Violation of the Freedom of Information Act:
Failure to Make Records Promptly Available
5 U.S.C. § 552(a)(6)(C)

53. The allegations made in all preceding paragraphs are re-alleged and incorporated by reference herein.

54. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), "Upon any determination by an agency to comply with a request for records, the records shall be made promptly available to such person making such request."

55. To make records “promptly available” means to release them within a few days or weeks, not months or years, after a determination is made. *Citizens for Responsibility & Ethics in Washington v. Fed. Election Comm'n*, 711 F.3d 180 (D.C. Cir. 2013).

56. Plaintiffs’ organizational activities will be adversely affected if Defendants are allowed to continue to violate FOIA’s requirement to make records “promptly available” upon a determination by an agency to comply with a request for records.

57. Unless enjoined and made subject to a declaration of Plaintiffs’ legal rights by this Court, Defendants will continue to violate the rights of Plaintiffs to receive public records under the FOIA.

58. Plaintiffs are entitled to reasonable costs of litigation, for this violation, including attorney fees pursuant to FOIA. 5 U.S.C. § 552(a)(4)(E).

COUNT IV
Violation of the Freedom of Information Act:
Unlawful Withholding

59. The allegations made in all preceding paragraphs are re-alleged and incorporated by reference herein.

60. Plaintiffs have a statutory right to the records they seek, and there is no legal basis for Defendants to assert that any of FOIA’s nine disclosure exemptions apply. *See* 5 U.S.C. § 552(b)(1)-(9).

61. Plaintiffs have a statutory right to any reasonably segregable portion of a record that may contain information lawfully subject to any of FOIA's exemptions. *Id.* § 552(b). Defendants are violating Plaintiffs' rights in this regard to the extent Defendants are unlawfully withholding reasonably segregable portions of any lawfully exempt records that are responsive to Plaintiffs' December 2, 2021, FOIA request.

62. Plaintiffs are entitled to reasonable costs of litigation, including attorneys' fees and costs pursuant to FOIA, for this violation. *Id.* § 552(a)(4)(E).

COUNT V
Violation of the Freedom of Information Act:
Failure to Provide Estimated Completion Date
5 U.S.C. § 552(a)(7)(B)

63. The allegations made in all preceding paragraphs are re-alleged and incorporated by reference herein.

64. Pursuant to 5 U.S.C. § 552(a)(7)(B), "Each agency shall . . . establish a phone line or Internet service that provides information about the status of a request to the person making the request . . . including . . . an estimated date on which the agency will complete action on the request."

65. In their February 2, 2022, Notice of Violation, Plaintiffs asked Defendants for estimated dates of completion for their pending FOIA request.

66. Defendants have not provided estimated dates of completion for the FOIA request in this matter.

67. Based on the nature of Plaintiffs' organizational activities, it will undoubtedly continue to employ FOIA's provisions in information requests to Defendants in the foreseeable future.

68. Plaintiffs' organizational activities will be adversely affected if Defendants are allowed to continue violating FOIA's requirement to provide estimated dates of completion as it has in this case.

69. Unless enjoined and made subject to a declaration of Plaintiffs' legal rights by this Court, Defendants will continue to violate the rights of Plaintiff to receive public records under the FOIA.

70. Plaintiffs are entitled to reasonable costs of litigation, including attorney fees pursuant to FOIA. 5 U.S.C. § 552(a)(4)(E).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that this Court:

A. Declare Defendants' failure to disclose the information requested by Plaintiffs, as alleged above, to be unlawful under FOIA, 5 U.S.C. § 552(a)(6)(A)(i).

B. Declare Defendants' failure to make the requested documents promptly available to Plaintiffs, as alleged above, to be unlawful under FOIA, 5 U.S.C. § 552(a)(6)(C)(i).

C. Declare that Defendants' failure to undertake a search that is reasonably calculated to locate all records that are responsive to Plaintiffs' FOIA request, as alleged above, is unlawful under FOIA, 5 U.S.C. § 552(a)(6)(A)(i).

D. Declare that Defendants' failure to provide Plaintiffs with reasonably segregable portions of records which may be lawfully subject to a FOIA exemption, as alleged above, is unlawful under FOIA, 5 U.S.C. §§ 552(a)(6), 552(a)(7).

E. Declare that Defendants' failure to provide Plaintiffs with estimated completion dates, as alleged above, to be unlawful under FOIA, 5 U.S.C. § 552(a)(7)(B).

F. Order Defendants in the form of injunctive relief to conduct a search that is reasonably calculated to locate all records responsive to Plaintiffs' FOIA request, with the cut-off date for such search being the date the search is conducted, and to provide Plaintiffs with all responsive records and reasonably segregable portions of lawfully exempt records sought in this action.

G. Order Defendants in the form of injunctive relief to provide Plaintiffs all of the information sought in this action by a date certain.

H. Award Plaintiffs their costs and reasonable attorney fees pursuant to 5 U.S.C. § 552(a)(4)(E), and 28 U.S.C. § 2412, or any other applicable law.

I. Grant such other and further relief as the Court may deem just and proper.

DATED this 18th day of March, 2022.

/s/ Barbara Chillcott

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