

This morning, a three-judge panel (Brown, Pillard and Griffith) heard oral arguments on the Tribe's emergency motion for a stay pending appeal of the district court's denial of its motion for a preliminary injunction. An audio recording is available on the DC Circuit website (<https://www.cadc.uscourts.gov/recordings/recordings.nsf/>). A full account of the oral arguments is provided on [Indianz.com](http://www.indianz.com) at <http://www.indianz.com/News/2016/10/05/appeals-court-takes-up-nodapl-case-as-pi.asp>.

NCAI and NARF will continue to closely monitor new developments in this case, and we expect the DC Circuit to issue an order on the emergency motion soon, perhaps as early as the end of this week. In speaking briefly with the Tribes' attorneys following the conclusion of oral arguments, regardless of the outcome of the emergency motion, the DAPL Amicus Workgroup should be prepared for an aggressive briefing schedule to be set by this panel. We may be scheduling a DAPL Amicus conference call as early as Friday (October 7) or on Monday (October 10). Stay tuned.

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