| )        | IN CIRCUIT COURT        |
|----------|-------------------------|
| )SS<br>) | SIXTH JUDICIAL CIRCUIT  |
| )        | CIV. 16-20              |
| )        |                         |
| )        | MOTION TO DISMISS       |
|          | )<br>)SS<br>)<br>)<br>) |

Dakota Access, LLC, by and through its undersigned counsel, hereby moves that the Court dismiss the appeal pursuant to SDCL 15-6-12(b)(1). This motion is supported by a separately filed memorandum in support hereof.

Dated this 1st day of February, 2016.

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