

EXHIBIT 5

Kimberly Craven
Attorney at Law
3560 Catalpa Way
Boulder, CO 80304

May 7, 2015

Mr. Brett Koenecke
Ms. Kara Semmler
May Adam
P.O. Box 160
Pierre, SD 57501-0160

RE: HP14-002

Dear Mr. Koenecke and Ms. Semmler:

This past Friday, May 1, 2015, was the deadline for the first round of discovery in HP14-002. You sent an email late that afternoon regarding the delay of the discovery responses to the interrogatories that had been submitted to Dakota Access LLC on behalf of Dakota Rural Action and requesting an extension of time.

That same afternoon, I responded to your email stating that I echoed the position of the Yankton Sioux Tribe's attorney, Thomasina Real Bird, who had sent a letter to you that day stating that her clients would agree to accept the late production of discovery until May 8th, 2015, if you would stipulate to the need to amend the scheduling order. You did not reply substantively to my email request but stated in an email sent on Saturday, May 2, 2015:

"Ms. Craven:

Attached please find a substantial number of responses to your interrogatories. We expect to finalize and submit complete responses early next week. Thank you.
Bk"

It is my understanding from Ms. Real Bird that you did not respond to her letter either.

I am writing today to notify that your response to my email and production in response to the Dakota Rural Action First Interrogatories and Request for Production of Documents is deficient. I'd like to resolve this issue promptly in light of your already late responses. Please be advised that I find your responses deficient as follows:

INTERROGATORY NO. 2. There was no answer provided to our question about prior to answering these interrogatories, have you made due and diligent search of all books, records, and papers of the Applicant with the view of eliciting all information available in

this action.

INTERROGATORY NO. 3. We asked you to describe the current status of the permits and plans required prior to the start of construction of the Dakota Access Pipeline. You provided answers to most of the questions without providing any specificity to when the permits would be finalized. There was no response to our question regarding flood plain, conditions use and building permits.

INTERROGATORY NO. 4. We asked you for information and documents regarding incidents in which any pipeline transporting crude oil constructed by Dakota Access and its Affiliates leaked or spilled pipeline contents. The answer was supposed to have been provided in Attachment 1 but there were not attachments.

INTERROGATORY NO. 16. We asked you to identify each pipeline operated by Dakota Access and its affiliates that have operated at the same operating pressure giving the pipeline name, location, dates of such operation, together with spill information and documentation. You replied that the answer is pending.

INTERROGATORY NO. 35: We asked you to describe the status of Dakota Access's efforts to obtain a permit process for water body crossings and to identify the documents used to answer this question. There was no response to our request to identify documents.

INTERROGATORY NO. 40: We asked you to identify the USGS or other geological, hydrological, geo-hydrological studies conducted in the areas including what is now the proposed Dakota Access pipeline route through South Dakota. You answered that the answer was pending.

INTERROGATORY NO. 45. We asked you to provide information regarding the security of the monitoring system. You answered that this information was confidential and that Dakota Access LLC was refusing to provide the documents we requested. We disagree, as the safety of the pipeline is central to the permit certification process. Please provide these documents or in the alternative, you may request a Protective Order to protect documents that you consider sensitive or confidential.

INTERROGATORY NO. 64. We asked about the estimated use of water during the pipeline construction and hydrostatic testing as well as the source of the water. You answered that the answer was pending.

Finally, the Certificate of Service that was included but not completed or signed by Ms. Semmler and was addressed to Ms. Real Bird, not me.

The delay in providing complete responses to the first round of interrogatory requests for information and documents is hampering my ability to sufficiently analyze the information provided and prepare the second round of discovery requests. Please remedy

these deficiencies by close of business today. I am available to discuss these matters with you further at 303.494.1974.

Sincerely,

/s/Kimberly Craven
KIMBERLY CRAVEN
Attorney
Indigenous Environmental Network
3560 Catalpa Way
Boulder, CO 80304
303.494.1974
kimecravent@gmail.com