

STATE OF MICHIGAN  
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT  
INGHAM COUNTY

DANA NESSEL, ATTORNEY GENERAL OF  
THE STATE OF MICHIGAN, ON BEHALF  
OF THE PEOPLE OF THE STATE OF  
MICHIGAN,

No. 19-474-CE

Plaintiff,

HON. JAMES S. JAMO

v

ENBRIDGE ENERGY, LIMITED  
PARTNERSHIP; ENBRIDGE ENERGY  
COMPANY, INC.; and ENBRIDGE ENERGY  
PARTNERS, L.P.,

Defendants.

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**PLAINTIFF'S EX PARTE MOTION FOR  
TEMPORARY RESTRAINING ORDER PENDING  
HEARING ON MOTION FOR PRELIMINARY INJUNCTION**

The Plaintiff, Dana Nessel, Attorney General of the State of Michigan, on behalf of the people of the State of Michigan, brings this ex parte motion for a temporary restraining order pursuant to MCR 3.310(B).

The purpose of this motion is to preserve the status quo until the Court can hear and decide the Plaintiff's contemporaneously filed motion for preliminary injunction. A temporary restraining order preserving the last peaceable, uncontested status quo is necessary to prevent two irreparable injuries. First, the grave risk of irreparable injury to the Great Lakes if Defendants continue operation of the west leg of the Line 5 dual pipelines, or resume operation of the east leg of the pipelines, before the Court can consider Plaintiff's motion for a preliminary injunction.

Second, the State of Michigan will suffer an irreparable injury if Defendants continue operation of the west leg of the pipelines, or resume operation of the east leg of the pipelines, without first providing legally required information to the State for its review and determination that it is safe to resume pipeline operations.

Consistent with MCR 3.310(B)(2), undersigned counsel for the Plaintiff certifies that he attempted to contact Defendants' counsel Philip DeRosier, who has been Plaintiff's primary point of contact in this matter, via telephone at approximately 3:40 p.m., and via email at approximately 3:50 p.m. on June 22, 2020, to provide notice of this motion.

For these reasons, as set forth more fully in the brief in support of this motion, the Plaintiff respectfully requests that the Court enter a temporary

restraining order enjoining operation of the Line 5 dual pipelines in the Straits of Mackinac until the Court can rule on Plaintiff's motion for preliminary injunction.

Respectfully submitted,

Dana Nessel  
Attorney General

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Dated: June 22, 2020

LF: Enbridge Straits (AG v)/AG #2019-0253664-B-L/Motion for TRO 2020-06-22