

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

)	
BOB KEENAN, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Civil Action No.: 15-cv-1440 (RCL)
)	
NORMAN BAY, Chairman, Federal)	
Energy Regulatory Commission, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
)	

NOTICE OF WITHDRAWAL OF MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs Bob Keenan, *et al.*, hereby file this Notice of Withdrawal of what remains of plaintiffs’ Motion for Temporary Restraining Order and for Preliminary Injunction (ECF No. 19) following this Court’s Order of September 4, 2015, denying the Temporary Restraining Order portion of plaintiffs’ motion.

1. On September 3, 2015, Plaintiffs filed a “Complaint for Temporary Restraining Order, Preliminary Injunction and Declaratory Relief,” and contemporaneously moved this Court to issue a temporary restraining order and preliminary injunction “temporarily prohibiting the Federal Regulatory Commission (‘FERC’ or ‘Commission’) from authorizing, approving and facilitating the scheduled September 5, 2015 conveyance of the Kerr Hydroelectric Project, Project No. 5 (‘Kerr Project’) to the Confederated Salish Kootenai Tribes of the Flathead Reservation (‘CSKT’ or ‘Tribes’), and the partial transfer of the current joint FERC license held by the CSKT and NorthWestern Energy Corporation (‘NorthWestern’) to the CSKT’s recently formed federally chartered wholly-owned subsidiary corporation, Energy Keepers, Inc.” (ECF No. 19).

2. On September 4, 2015, following a hearing, this Court issued an order denying Plaintiffs' motion for a TRO (ECF No. 20).

3. In light of this Court's ruling on the TRO, and the undersigned counsel's consultation with his clients and co-counsel, plaintiffs believe that withdrawal of this motion is in the best interests of plaintiffs, and would help to conserve the scarce judicial resources of this Court.

4. Plaintiffs' counsel has advised counsel for defendants of his intention to file this Notice of Withdrawal, who has not objected.

For these reasons, plaintiffs hereby withdraw their motion for preliminary injunction.

Respectfully submitted,

Dated: September 21, 2015

THE KOGAN LAW GROUP, P.C.

By: _____/s/_____
Lawrence A. Kogan, (D.C. Bar #492042)
THE KOGAN LAW GROUP, P.C.
100 United Nations Plaza
Suite 14F
New York, New York 10017
(212) 644-9240

Attorney for Plaintiffs

Of Counsel:

SCHMITZ & SOCARRAS LLP

By: _____/s/_____
Joseph E. Schmitz (D.C. Bar #420229)
SCHMITZ & SOCARRAS LLP
8200 Greensboro Drive, Suite 1500
McLean, Virginia 22102
(703) 992-3095

Attorney for Plaintiffs