

July 23, 2025

VIA ELECTRONIC FILING

Judge James D. Gion
Stark County Courthouse
51 3rd St. E., Suite 202
Dickinson, ND 58601

Re: *Energy Transfer LP et al. v. Greenpeace International et al.*
Case No. 30-2019-CV-00180

Dear Judge Gion:

I write in response to Mr. Cox's July 22, 2025 letter that accompanies a so-called emergency motion directed to Greenpeace International.

As the Court instructed the jury, Greenpeace, Inc. and Greenpeace Fund are legally distinct entities. Neither is a party to the Greenpeace International lawsuit pending in the Netherlands. The July 22 letter refers throughout to "Greenpeace." To the extent the letter conflates Greenpeace International with these US-based entities, it is incorrect.

Plaintiffs' motion addresses a lawsuit that Greenpeace International filed more than five (5) months ago on February 11, 2025. A lawsuit that a party has known about for more than five months is not an "emergency." If the filing of the case was an emergency, Plaintiffs long ago waived any such contention.

Plaintiffs' letter, which has no evidentiary or factual basis, variously asserts that "Greenpeace" has shown "open disdain for the sovereignty of this Court," the "impartiality of its jury system," and the "State's judicial process." It further contends that "Greenpeace" is "unwilling to accept the rule of law" and has engaged in "retaliatory and abusive action." Plaintiffs ask for the Court to enter judgment against the Greenpeace Defendants without delay, purportedly to demonstrate that the Court will not "tolerate such conduct."

Under the North Dakota Rules of Court, parties seek relief by motion. Rule 3.2. As a matter of statute, the Court cannot issue judgment until it addresses Greenpeace Defendants' post-trial motions on the merits. N.D.C.C. 32-03.2-12. Throughout these proceedings, the parties have addressed issues in accordance with the Rules of Court and with decorum. There is no place for

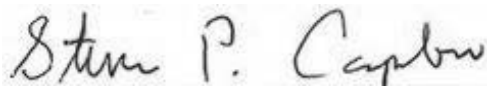
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a letter that hurls invective. Nor, to state the obvious, should a judgment in this case issue for any reason other than a determination of the merits. The letter should be disregarded and stricken.

As to the pending motion, Greenpeace International will respond through the submission of an opposition brief on Tuesday August 5 as provided by the governing rules for Rule 3.2.

Sincerely,

Davis Wright Tremaine LLP

A handwritten signature in dark ink, reading "Steven P. Caplow". The signature is written in a cursive, slightly slanted style. The first name "Steven" is written with a large 'S', followed by "P." and then "Caplow".

Steven P. Caplow
Counsel for Greenpeace International

cc: Counsel of record