

July 22, 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:

Plaintiffs Energy Transfer LP, Energy Transfer Operating, L.P., and Dakota Access, LLC (together, “Energy Transfer”) respectfully submit this letter to request that the Court promptly enter judgment following the jury’s verdict in this matter. As detailed below, recent attempts at gamesmanship by Greenpeace underscore the urgency of finality and the need to protect the integrity of this Court’s proceedings.

In response to the jury’s verdict and this Court’s rulings, Greenpeace now seeks to undermine the authority of the entire North Dakota judiciary. Having lost before a jury of North Dakota citizens—through a full and fair trial process—Greenpeace has turned to a foreign tribunal to relitigate the very issues that were resolved here. This is a transparent collateral attack on the integrity of this Court and the judicial system of North Dakota.

Greenpeace has chosen to file what can only be characterized as a retaliatory and abusive action in the Netherlands—a jurisdiction with absolutely no connection to this dispute, and where Energy Transfer has no presence, operations, assets, or personnel. The foreign action is not a good-faith legal proceeding; it is a deliberate end-run around this Court’s jurisdiction, and constitutes empirical evidence that Greenpeace is unwilling to accept the rule of law when it does not suit its interests.

By labeling this Court’s proceedings as invalid and suggesting that North Dakota courts are incapable of delivering justice, Greenpeace has shown open disdain for the sovereignty of this Court, the impartiality of its jury system, and the legitimacy of the State’s judicial process. This conduct is not just disrespectful; it is an affront to every principle of comity, finality, and fairness that underpins our American legal system.

This Court must not tolerate such conduct. It is imperative that judgment be entered without delay. Any hesitation would not only reward Greenpeace's forum-shopping and jurisdictional abuse; it would signal to future litigants that the authority of North Dakota courts can be ignored with impunity if one simply finds a friendlier court abroad.


To this end, Energy Transfer is seeking an anti-suit injunction to protect this Court's jurisdiction, filed contemporaneously with this Letter. This extraordinary measure is necessitated solely by Greenpeace's bad-faith tactics. Greenpeace's foreign proceeding seeks to nullify or enjoin enforcement of the jury verdict and undermines this Court's authority—an intolerable interference with domestic adjudication by a party that has already had its day in court and lost.

Greenpeace's behavior is not isolated. It is part of a pattern of conduct designed to delay, deflect, and delegitimize. For example, in *Shell Offshore v. Greenpeace*, the Ninth Circuit noted that Greenpeace's executive director declared, "whatever happens in court, Greenpeace will continue to oppose Shell's plans . . . vigorously." These statements, made by Greenpeace's top leadership, underscore Greenpeace's refusal to treat court rulings as binding and its readiness to flout them when they conflict with its agenda. This Court must send a clear and unequivocal message: such gamesmanship will not be rewarded.

The time has come to enter judgment and reaffirm that the rule of law in North Dakota will not yield to foreign manipulation or abide strategic obstruction. Greenpeace may attempt to run from this Court, but it cannot run from its accountability to the legal system it has willfully disrespected.

Sincerely,

GIBSON, DUNN & CRUTCHER LLP



Trey Cox

TC