

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BOB KEENAN, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	[PROPOSED] ORDER
v.)	
)	CIVIL CASE NO: 1:15-cv-1440
NORMAN C. BAY, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
_____)	

Upon consideration of Plaintiffs’ motion for a temporary restraining order prohibiting Defendants from authorizing, approving and facilitating the conveyance of the Kerr Hydroelectric Project, Project No. 5 to the Confederated Salish Kootenai Tribes of the Flathead Reservation (“CSKT”), 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. (“the conveyance”), the memorandum of points and authorities in support thereof, the accompanying declarations, any opposition thereto, the arguments of counsel, and the entire record in this action:

It appearing to the Court that the Plaintiffs are likely to succeed on the merits of their action, that they will suffer irreparable injury if the requested relief is not issued, that the Defendants will not be harmed if the requested relief is issued, and that the public interest favors the entry of such an order, it is, therefore,

ORDERED that Plaintiffs’ motion for temporary restraining order be and hereby is GRANTED; and it is further

ORDERED that the Federal Regulatory Commission (“FERC”) is hereby PROHIBITED, pending further order of this Court, from authorizing, approving and/or facilitating the conveyance by NorthWestern and CSKT until further Order of this Court; and it is further

ORDERED that this Order is effective immediately and given the absence of harm to Defendants, no bond is required; and it is further

ORDERED, in accordance with Fed. R. Civ. P. 65(b)(2), that this temporary restraining order shall expire 14 days after its entry upon the docket, unless the Court, for good cause extends it for a like period or Defendants consent to a longer extension; and it is further

ORDERED that Defendants shall show cause on or before the expiration of the expiration of this temporary restraining order why a preliminary injunction should not issue pursuant to Fed. R. Civ. P. 65.

Dated: _____, 2015

United States District Court Judge