

# Appendices B

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UNITED STATES SUPREME COURT

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Case No. \_\_\_\_\_  
8th Cir. Case no. 18-1824

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Kodiak Oil & Gas (USA) Inc., now known as  
Whiting Resources Corporation; HRC Operating, LLC

Plaintiffs – Appellees

v.

Jolene Burr; Ted Lone Fight; Georgianna Danks; Edward S. Danks

Defendants

Mary Seaworth, in her capacity as the Acting Chief Judge  
of the Fort Berthold District Court

Defendant – Appellant

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EOG Resources, Inc.

Plaintiff – Appellee

v.

Mary Seaworth, in her capacity as the Acting Chief Judge of the Three Affiliated  
Tribes District Court of the Fort Berthold Indian Reservation; Charlene Knight, in  
her capacity as the Court Clerk/Consultant of the Three Affiliated Tribes District  
Court of the Fort Berthold Indian Reservation

Defendants – Appellants

Jolene Burr; Ted Lone Fight; Georgianna Danks; Edward S. Danks

Defendants

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Kodiak Oil & Gas (USA) Inc., now known as  
Whiting Resources Corporation; HRC Operating, LLC

Plaintiffs – Appellees

v.

Jolene Burr; Ted Lone Fight; Georgianna Danks; Edward S. Danks

Defendants

Mary Seaworth, in her capacity as the Acting Chief Judge  
of the Forth Berthold District Court

Defendant

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EOG Resources, Inc.

Plaintiff – Appellee

v.

Mary Seaworth, in her capacity as the Acting Chief Judge of the Three Affiliated  
Tribes District Court of the Fort Berthold Indian Reservation; Charlene Knight, in  
her capacity as the Court Clerk/Consultant of the Three Affiliated Tribes District  
Court of the Fort Berthold Indian Reservation

Defendants

Jolene Burr; Ted Lone Fight; Georgianna Danks; Edward S. Danks

Defendants - Appellants

On appeal from the United States District Court  
For the District of North Dakota, Northwest Division  
The Honorable Judge Daniel L. Hovland  
Consolidated Case Nos. 4:14-cv-00085-DLH-CSM  
and 4:14-cv-00087-DLH-CSM

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**APPLICATION TO EXTEND TIME TO  
FILE A PETITION FOR WRIT OF CERTIORARI**

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**Directed to the Honorable Neil M. Gorsuch,  
Associate Justice of the United States and Circuit Justice for the  
United States Court of Appeals for the Eighth Circuit**

**To the Honorable Neil M. Gorsuch, as Circuit Justice for the United States Court of Appeals for the Eighth Circuit:**

Pursuant to Rule 13 of the Rules of the Supreme Court of the United States, Respondents Mary Seaworth and Charlene Knight, sued in their capacities as the Acting Chief Judge of the Three Affiliated Tribes District Court of the Fort Berthold Indian Reservation and the Court Clerk/Consultant of the Three Affiliated Tribes District Court of the Fort Berthold Indian Reservation, respectively, respectfully request a 30-day extension of time to file a petition for a writ of certiorari. The current deadline is February 10, 2020; the 30-day extension would move the date to March 11, 2020.

Due to the complexities of tribal governmental operations, and changes to federal regulations that could impact practical or legal considerations for the Tribal government's decisions and for which they have sought additional analysis, it is taking longer than the time permitted by rule to obtain a decision from the Tribes regarding whether to appeal the Circuit Court's decision, therefore an extension is justified. This Court has appellate jurisdiction pursuant to Article III, Section 2 of the United States Constitution, as this is an appeal of a final decision of the United States Court of Appeals for the Eighth Circuit. The judgment sought to be appealed is the Judgment rendered on August 5, 2019, in case 4:14-cv-00085, No. 18-1824, a copy of which is attached hereto as Appendix A. Rehearing was sought and was denied on

November 12, 2019. A copy of the order denying rehearing is attached hereto as Appendix B.

Respectfully submitted this 4th day of February, 2020.

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## CERTIFICATE OF SERVICE

I certify that on this 4th day of February, 2020, a true and correct copy of the foregoing was filed with the Clerk of the United States Supreme Court and sent via U.S. Mail on February 4th, 2020, to:

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