

Fisheries, and Wilber Ross, in his official capacity as the Secretary of Commerce (Federal Defendants). This preliminary injunction is necessary to prevent offshore seismic airgun testing / blasting based upon incidental harassment authorizations (IHAs) issued by the National Marine Fisheries Service (NMFS) which, as discussed in the Memorandum filed herewith, would be contrary to applicable law and would have a disastrous impact on marine life and therefore, the economy of South Carolina and the recreational and commercial interests of its citizens. The State asks that the effectiveness of the IHAs be stayed and any seismic testing in the Atlantic Ocean be enjoined pursuant to this motion until such time as this Court decides the Plaintiffs' claims on the merits.

In support of this Motion the State relies upon the attached Memorandum in Support of this Motion and the exhibits attached hereto.

Respectfully submitted,

ALAN WILSON
Attorney General
Federal ID No.10457

ROBERT D. COOK
Solicitor General
Federal ID No. 285
Email: rcook@scag.gov

/s/ J. Emory Smith, Jr.
J. EMORY SMITH, JR.
Deputy Solicitor General
Federal ID No. 3908
Email: esmith@scag.gov

T. PARKIN C. HUNTER
Senior Assistant Attorney General
Federal ID No. 2018
Email: phunter@scag.gov

[Signature block continues next page]

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
Phone: (803) 734-3680
Fax: (803) 734-3677

March 1, 2019

Counsel for the State ex rel Wilson

Local Civ. Rule 7.02 statement:

Based upon the representations of the Coastal Conservation League and City of Beaufort Plaintiffs in their Motions for Preliminary Injunction, and the current reported limit of March 1 before which BOEM will not make a permit decision (Cruickshank Declaration, Dkt. #72-1, ¶ 8), undersigned counsel does not believe that the Federal Defendants will consent to this motion.

March 1, 2019

/s/ J. Emory Smith, Jr.
J. EMORY SMITH, JR.
Deputy Solicitor General