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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NEIGHBORS AGAINST BISON SLAUGHTER, *et al.*,	)	Case No. 1:19-cv-3144-BAH
Plaintiffs,	)	
v.	)	**REPLY IN SUPPORT OF MOTION TO TRANSFER VENUE**
THE NATIONAL PARK SERVICE, *et al.*,	)	
Defendants.	)	Administrative Procedure Act Case, 5 U.S.C. §§ 701 *et seq*.

INTRODUCTION

As Plaintiffs concede, this case is about bison hunting on United States Forest System land within the State of Montana. Pls.' Resp. 4. The challenged hunting is regulated by the State of Montana and American Indian tribes that enjoy state-recognized treaty hunting rights in Montana. Plaintiffs are residents of Montana and allege injuries stemming from hunting near their real property in Montana. The relief they seek will directly affect the interests of state and

tribal hunters in Montana. The locus of this case is Montana, and the entire case should be decided there.

ARGUMENT

I. The Private Interest Factors Weigh in Favor of Transfer to the United States District Court for the District of Montana.

Defendants have met their burden of showing that the relevant private interest factors in this case—Plaintiffs' choice of forum, Defendants' choice of forum, and convenience of the parties—weigh in favor of transfer.[1] *See* 28 U.S.C. § 1404(a); *Valley Cmty. Pres. Comm'n v. Mineta*, 231 F. Supp. 2d 23, 44-45 (D.D.C. 2002). Plaintiffs attempt to reframe the nuanced, multi-factor § 1404(a) inquiry as a simple question of convenience for counsel at oral argument, *see* Pls.' Resp. 12, but assigning any weight to that consideration is contrary to the long-established law in this Circuit.[2] So too is their appeal to an out-of-circuit "clear and convincing evidence" standard; courts in this Circuit do not apply a heightened evidentiary standard in deciding motions to transfer venue. *See, e.g.*, *SEC v. Savoy Industries, Inc.*, 587 F.2d 1149, 1154 (D.C. Cir. 1978) ("a transfer is available 'upon a lesser showing of inconvenience' that that required for a Forum non conveniens dismissal." (citation omitted)); *Hispanic Affairs Project v. Perez*, 206 F. Supp.3d 348, 374 (D.D.C. 2016) (containing no mention of a heightened evidentiary standard for motions to transfer venue).

[1] Plaintiffs concede "that they could also have filed this case in the District of Montana . . . ." Pls.' Resp. 9.

[2] Plaintiffs rely heavily on *Atlantic Marine Const. Co. v. U.S. District Court for Western District of Texas*, 571 U.S. 49 (2013), to frame the § 1404(a) inquiry as focused solely on the principles underlying the doctrine of *forum non conveniens*. *See* Pls.' Resp. 11-12. *Atlantic Marine*, however, is generally focused on the intersection of § 1404(a) with valid forum-selection clauses in contracts. *See id.* at 60, n.6. The Court did not suggest that the primary inquiry under § 1404(a) should be "the most convenient forum for any oral arguments[.]" Pls.' Resp. 12.

Plaintiffs offer a slightly different articulation of the private interest factors, *see* Pls.' Resp. 12, 16-17, but this is a distinction without a difference.[3] *See SEC*, 587 F.2d at 1154 ("This court has said that 'it is perhaps impossible to develop any fixed general rules on when cases should be transferred' . . . . Thus, the proper technique to be employed is a factually analytical, case-by-case determination of convenience and fairness.") (quoting *Starnes v. McGuire*, 512 F.2d 918, 929 (D.C. Cir. 1974) (en banc) (citing *Van Dusen v. Barrack*, 376 U.S. 612, 622 (1964))). At bottom, Plaintiffs' arguments fail because there is no meaningful connection between their claims and the District of Columbia, while there is a compelling nexus to Montana. As demonstrated in Defendants' opening brief and as explained in more detail below, each private factor either weighs in favor of transferring this case to the District of Montana or is neutral.

A. Plaintiffs' Choice of Venue Should Be Afforded Less Deference Due to a Lack of Meaningful Ties to the District of Columbia.

Plaintiffs argue this Court should give deference to their choice of forum. *See generally* Pls.' Resp. 12. But, as even the cases Plaintiffs cite hold, "this deference is mitigated if the plaintiffs' choice of forum has *no meaningful ties* to the controversy and no particular interest in the parties or subject matter." *Greater Yellowstone Coal. v. Bosworth*, 180 F. Supp. 2d 124, 128 (D.D.C. 2001) (internal citations omitted) (emphasis added); *see also Greater Yellowstone Coal.*

[3] In the District of Columbia, "[c]ourts generally look to six private interest factors in evaluating transfer motions[.]" *Hispanic Affairs Project v. Perez*, 206 F. Supp. 3d 348, 375 (D.D.C. 2016). These factors include: "(1) the plaintiffs' choice of forum . . . ; (2) the defendant's choice of forum; (3) whether the claim arose elsewhere; (4) the convenience of the parties; (5) the convenience of the witnesses . . . ; and (6) the ease of access to sources of proof." *Foote v. Chu*, 858 F. Supp. 2d 116, 121 (D.D.C. 2012); *see also Trout Unlimited v. U.S. Dep't of Agric.*, 944 F. Supp. 13, 16 (D.D.C. 1996). Plaintiffs draw their similar formulation of relevant factors from *Atl. Marine Const. Co., Inc.*, 571 U.S. at 63 n.6. *See* Pls.' Resp. 12, 16-17.

v. Kempthorne, Civil Action Nos. 07-2111(EGS), 07-2112(EGS), 2008 WL 1862298, at *3 (D.D.C. April 24, 2008). "Moreover, the defendants' burden in a motion to transfer decreases when the plaintiffs' choice of forum has no meaningful nexus to the controversy and the parties." *Bosworth*, 180 F. Supp. 2d at 128 (citation omitted). Here, Defendants have demonstrated that this case lacks a meaningful nexus to the District of Columbia. *See* Defs.' Br. 9-10. Accordingly, little deference to Plaintiffs' choice of forum is due.

Plaintiffs dismiss the numerous cases in this District holding that a plaintiff's choice of forum is "conferred less deference by the court when a plaintiff's choice of forum is not the plaintiff's home forum," *see Stockbridge-Munsee Cmty. v. United States*, 593 F. Supp. 2d 44, 47 (D.D.C. 2009) (quoting *Shawnee Tribe v. U.S.*, 298 F. Supp. 2d 21, 24 (D.D.C. 2002)); *see also* Defs.' Br. 10 (collecting cases), by arguing in a footnote that these cases "misinterpret" a 1980 D.C. Circuit Court decision. *See* Pls.' Resp. 10-11 n.9 (citing *Pain v. United Technologies Corp.*, 637 F.2d 775, 781 (D.C. Cir. 1980)). Plaintiffs are wrong—an inconvenient forum is not the only basis for transfer. *Cf. Pain*, 637 F.2d at 799 (explaining that *forum non conveniens* is one tool "designed to preserve the discretion of the trial court as to exercise of jurisdiction."). Rather, "[c]ourts in this circuit must examine challenges to personal jurisdiction and venue carefully to guard against the danger that a plaintiff might manufacture venue in the District of Columbia." *Cameron v. Thornburgh*, 983 F.2d 253, 256, (D.C. Cir. 1993); *see also Pres. Soc'y of Charleston v. U.S. Army Corps of Engr's*, 893 F. Supp. 2d 49, 53 (D.D.C. 2012) ("Courts in this circuit are instructed to consider motions to transfer venue favorably") (citing *Cameron*, 983 F.2d at 256).

B. The Remaining Private Interest Factors Weigh in Favor of Transfer.

Each of the remaining private interest factors either weighs in favor of transfer or is neutral. Plaintiffs' arguments to the contrary conflate "convenience of the parties" with "convenience of counsel," which this Court has previously rejected. Transfer to the District of Montana is appropriate and warranted.

i. Convenience of Counsel is Not a Private Interest Factor.

Plaintiffs insist that the convenience of the parties weighs against transfer because counsel for both Plaintiffs[4] and Defendants are located in Washington, D.C. *See* Pls.' Resp. 15. "This argument, however, stretches the meaning of 'parties' in § 1404(a) too far to cover a party's counsel. Where counsel resides is of little relevance for purposes of evaluating venue transfer motions." *Stand Up for California v. U.S. Dept. of the Interior*, 919 F. Supp. 2d 51, 64 n.14 (D.D.C. 2013); *accord W. Watersheds Project v. Tidwell*, 306 F. Supp. 3d 350, 360 (D.D.C. 2017) (holding that "'[t]he fact that plaintiffs' counsel is in the District of Columbia is of little significance' in the transfer analysis."); *Nat'l Wildlife Fed'n v. Harvey*, 437 F. Supp. 2d 42, 48 (D.D.C. 2006) (concluding that the fact that the defendant's counsel is located in the District of Columbia is "offset by the fact that they represent the party requesting the transfer."). Likewise, Plaintiffs' argument that the travel to and from the courthouse in Montana may be more difficult

[4] Plaintiffs also argue that "[t]ransferring this case to Montana could require Neighbors' counsel to spend thousands of dollars for flights and hotel rooms and dozens of hours flying back and forth to Montana[,]" Pls.' Resp. 16, and that those costs and fees would impose a substantial hardship on pro bono counsel. Yet in their Complaint Plaintiffs explicitly seek an award of all fees and costs associated with this litigation. Compl., ECF No. 3, ¶ 72(g). Regardless, convenience and cost to counsel—particularly when counsel seeks attorney's fees—are not private interest factors courts usually consider in the venue transfer analysis and are not compelling reasons to prevent this case from being litigated in the District where the Plaintiffs reside and the challenged actions take place.

for the parties who live in Montana, Pls.' Resp. 15, defies common sense; to come to the District of Columbia, the parties would have to encounter those same winter conditions while also navigating possible delays or other inconveniences associated with air travel.

The District of Montana is a more convenient forum for the parties, even if it is not so for Plaintiffs' counsel. This factor weighs in favor of transfer.

ii. Factors Related to Hearings or Oral Argument Currently Appear Neutral.

As there is no oral argument currently scheduled on Plaintiffs' motion for a preliminary injunction, and because Plaintiffs' APA claims will be decided through cross-motions for summary judgment without trial, *see* Pls.' Resp. 12-14; *see also W. Watersheds Project*, 306 F. Supp. 3d at 360 (explaining that administrative review cases are resolved on cross-motions for summary judgment on the basis of the administrative record), the private interest factors related to the convenience of witnesses and access to sources of proof appear neutral. Plaintiffs suggest, without citation, that "[e]ven neutral factors weigh against transfer because they increase the movant's burden of demonstrating inconvenience." Pls.' Resp. at 9. The Supreme Court has instructed that courts should "weigh the *relevant* factors and decide whether, on balance, a transfer would serve 'the convenience of parties and witnesses' and otherwise promote 'the interest of justice.'" *Atl. Marine Const. Co.*, 571 U.S. at 62-63 (emphasis added) (quoting § 1404(a)). Defendants are not aware of any authority suggesting that neutral factors caution against transfer. Nor is such a rule sensible. Neutral factors are, quite obviously, neutral and should not weigh against transfer here.

Because there is no nexus between Plaintiffs' claims and the District of Columbia, and because Plaintiffs are all residents of the proposed transferee district, Plaintiffs' choice of forum is due little to no deference. The other relevant private interest factors—Defendants' choice of

forum and the convenience of the parties—weigh in favor of transfer. For these reasons, on balance, the private interest factors weigh in favor of transfer to the District of Montana.

II. The Public Interest Factors Weigh in Favor of Transfer.

As discussed in Defendants' opening brief, both this Court and the District of Montana have similar caseloads, and both are familiar with the federal law at issue. Defs.' Br. 13-14. Thus, the only relevant public interest factor is the strong local interest in having this Montana-focused case decided in Montana. Plaintiffs' attempts to muddy the waters are unavailing; the challenged action takes place entirely within Montana, and the consequences that would flow from Plaintiffs' requested relief would be felt most keenly by state and tribal hunters in Montana. For these reasons, the public factors weigh in favor of transfer to the District of Montana.

A. The Strong Local Interest in Bison Hunting Weighs in Favor of Transfer.

The "arguably most important," *Pres. Soc'y of Charleston*, 893 F. Supp. 2d at 57, of the public interest factors, in both "federal decisions that impact the local environment" and "controversies requiring judicial review of an administrative decision," *W. Watersheds Project v. Pool*, 942 F. Supp. 2d 93, 102 (D.D.C. 2013) (quoting *Sierra Club v. Flowers*, 276 F. Supp. 2d 62, 70 (D.D.C. 2003)), is "the local interest in having local controversies decided at home." *Pres. Soc'y of Charleston*, 893 F. Supp. 2d at 57. As discussed in Defendants' opening brief, there are strong local interests in the annual bison hunt among both state and tribal hunters. Defs.' Br. 13-14. The *Amici* Tribes' recent participation in this case confirms those interests. *See generally* Amici Br., ECF No. 31.

As the *Amici* Tribes argue, their participation in the annual hunt is "an exercise of a sacred and Treaty-reserved right by a sovereign nation," *id.* at 10, and the injunctive relief Plaintiffs seek threatens the Tribes' "deep and enduring ties to bison that are fundamentally

rooted in each Tribe's unique culture, identity, and traditions." *Id.* at 11. Though Plaintiffs choose to dismiss tribal hunting rights as the actions of "excited and poorly managed hunters," Pls.' Resp. 6, "scrambl[ing] for a prize," Pls.' Br., ECF No. 4-1 at 1, the *Amici* Tribes explain how their annual harvest is inextricably tied to the land and the treaty-reserved rights that they exercise there. *See* Amici Br. 11 (the Tribes "have engaged in bison hunting in the Greater Yellowstone Ecosystem since time immemorial"). Indeed, members of the *Amici* Tribes "travel hundreds of miles each year for the opportunity to exercise their Treaty rights and harvest a bison as their ancestors did." *Id.* at 11-12. Plaintiffs argue that these interests do not necessarily relate to Montana because the "tribes [come] from four states: Washington, Idaho, Oregon, and Montana." Pls.' Resp. 19. Though not all of the *Amici* Tribes hold reservation lands in Montana, each has history in Montana, Amici Br. 2-10, and each claim off-reservation treaty hunting rights in Montana that would be harmed by the relief Plaintiffs seek. Further, the tribes coordinate their hunts and safety protocols with the State of Montana. *See id.* at 5, 7, 13.

The *Amici* Tribes' strong interest in the annual hunt is directly tied to Montana. The outcome of this case—whichever party prevails—will "be most particularly felt in [Montana], and thus . . . the courts of [Montana] would have a clear interest in resolving the dispute." *S. Utah Wilderness All. v. Norton*, 315 F. Supp. 2d 82, 89 (D.D.C. 2004).

B. Any "National Significance" Does Not Weigh Against Transfer.

Plaintiffs characterize their case as implicating an issue of national significance. Pls.' Resp. 20-21. As discussed *supra*, there are strong local interests implicated by this action and Plaintiffs' requested relief that belie this argument. Further, any national significance would not weigh against transfer—certainly the District of Montana is equally as able to preside over nationally-significant cases as the District of Columbia.

Neither of the cases Plaintiffs cite in support of this argument is on all fours with the case at bar. In *Greater Yellowstone Coalition v. Kempthorne*, 2008 WL 1862298, at *1 (D.D.C. 2008), the court declined to transfer a case challenging increased snowmobile use throughout Yellowstone National Park. *Id.* at *1-2. The court described its extensive "involvement in the ongoing series of cases regarding Yellowstone's winter management [that] began in 1997 and has continued nearly without pause to the present day." *Id.* at *1 (citing *Fund for Animals v. Norton*, 323 F. Supp. 2d 7 (D.D.C. 2004); *Fund for Animals v. Norton*, 294 F.Supp.2d 92 (D.D.C. 2003); *Fund for Animals v. Babbitt*, 97-cv-1126 (EGS) (D.D.C. May 20, 1997)). But here, in contrast, this Court does not have long history of hearing challenges to bison management or bison hunting on the Gallatin National Forest. *See Latin Ams. For Soc. & Econ. Dev. v. Adm'r of Fed. Highway Admin.*, No. 09-897(EGS), 2009 WL 10695786, at *6 n.11 (D.D.C. Nov. 30, 2009) (Judge Sullivan distinguishing his decision in *Kempthorne* where "[n]o such case history is present in the instant case."). Rather, challenges to bison management have been going on for years in the District of Montana. *See W. Watersheds Project v. Salazar*, 766 F. Supp. 2d 1095, 1097 (D. Mont. 2011) (discussing how "there have been a number of cases decided in the past involving the Yellowstone bison" before the court); *Cottonwood Envtl. Law Ctr. v. Bernhardt*, 2019 WL 718546, at *1 (D. Mont. 2019), *appeal docketed*, No. 19-35150 (9th Cir. Aug. 2, 2019) (ruling on a challenge to the IBMP over tribal hunting opportunities). Nor does this case involve land management decisions in Yellowstone; as Plaintiffs concede, the challenged activity takes place entirely outside of the Park on National Forest System land. Pls.' Resp. 6-7.

Bosworth is likewise inapposite. *See id.* at 2 (citing *Bosworth*, 180 F. Supp. 2d at 124). There, the Court then found that "federal government officials in the District of Columbia were

involved" in the challenged decision, which created "a nexus to the District of Columbia." *Bosworth*, 180 F. Supp. 2d at 128-29. The Court also noted that two of the five plaintiffs in the case had offices in the District of Columbia. *Id.* at 129. Here, as discussed *infra*, there is no evidence of any meaningful connection to Washington, D.C. officials. *See infra* 10-12. And this Court has expressly distinguished *Bosworth* in situations, like the case at bar, where no Plaintiff is at home in the District of Columbia and "[t]he defendant[s'] choice of forum . . . [is] the true locus of this dispute." *Pac. Maritime Ass'n v. N.L.R.B.*, 905 F. Supp. 2d 55, 62 (D.D.C. 2012). As in *Pacific Maritime Association*, this is:

> a case where "the local population . . . face[s] specific injury of a particularly local nature either as a result of, or upon enjoinment of, [the defendant's] challenged action," and therefore this case's connection to the District of Columbia is attenuated. Hence, because the District of Columbia is not the plaintiff's home forum, and because the District of Columbia has only an attenuated connection to this controversy, the plaintiff's choice of forum is not entitled to deference, and that factor weighs in favor of transfer.

Id. at 61-62 (quoting *Otay Mesa Property L.P. v. Dep't of Interior*, 584 F. Supp. 2d 122, 127 (D.D.C. 2008)). Local interests strongly favor transfer to the District of Montana, and any national significance does not weigh against transfer.

C. Plaintiffs Offer No Evidence Showing Involvement by Officials in Washington.

Plaintiffs do not address the substantial body of evidence showing that the decision-making process related to the annual hunt, including multiple meetings each year, occurs in Montana. Pls.' Resp. 5, 11; *Nat'l Ass'n of Home Builders v. EPA*, 675 F. Supp. 2d 173, 179 (D.D.C. 2009) ("courts generally focus on where the decision-making process occurred to determine where the claims arose."). Instead, Plaintiffs argue that an alleged employment dispute between former superintendent of Yellowstone National Park Dan Wenk and former Secretary of the Interior Ryan Zinke has some ambiguous relevance to the instant case. *See* Pls.'

Resp. 21-22. Neither name appears in Plaintiffs' Complaint. Further, neither Mr. Wenk nor former Secretary Zinke is a signatory to either the IBMP or the 2019 Winter Operating Plan, and Plaintiffs proffer no evidence that former Secretary Zinke had any involvement with either. Instead, Plaintiffs cite online news articles in which Mr. Wenk speculates that he may have been reassigned because he and Secretary Zinke disagreed on bison management priorities. *See id.* at 22; *see also* Matthew Brown, *Yellowstone boss says Trump administration forcing him out*, Associated Press (June 7, 2018), apnews.com/24808bac6ff445998da7254d5b299ced ("'I feel this is a punitive action, but I don't know for sure. They never gave me a reason why,' Wenk said."). Neither the cited news articles, nor the reassignment letter Plaintiffs attach to their response as Exhibit C, mention bison management or hunting on the Gallatin National Forest. Plaintiffs' unsubstantiated theories have no relevance to their challenges to the annual bison harvest, the Winter Operating Plan, or the IBMP.[5] Mere conjecture cannot overcome the strong evidence showing decisions related to the challenged hunt were made in Montana.

Plaintiffs cannot "demonstrate some 'substantial personalized involvement by a member of the Washington, D.C.' agency." *Pool*, 942 F. Supp. at 98 (quoting *S. Utah Wilderness All. v. Lewis*, 845 F. Supp. 2d 231, 235 (D.D.C. 2012)). Transfer to the District of Montana is thus appropriate and warranted.

[5] Nor do Plaintiffs insinuations justify discovery so that Plaintiffs can attempt to support their choice of venue after the fact. *See* Pls.' Resp. 22 n.15. *Starnes v. McGuire*, which Plaintiffs cite in support of the "reservation" of their "right" to conduct discovery on venue does not endorse that notion, but instead suggests that oral argument or a hearing may be appropriate in certain circumstances. 512 F.2d 918, 934 (D.C. Cir. 1974) (disapproving of *sua sponte* transfer without at least an order to show cause and suggesting that "[i]n some cases an evidentiary hearing may be necessary."). Defendants have not requested a hearing, but are happy to participate if the Court would find one helpful to its resolution of this motion.

D. The Challenged Activity Takes Place on the Gallatin National Forest, Not Within Yellowstone National Park.

Hunting is prohibited in Yellowstone National Park. 16 U.S.C. § 26. The annual bison hunt Plaintiffs challenge takes place on the Gallatin National Forest, which is entirely within the District of Montana. Plaintiff Lynn's real property is in Montana, and all Plaintiffs reside in Montana. That Plaintiff Lynn's parcel lies "just 300 yards from the District of Wyoming," that she drives through the District of Wyoming to buy groceries, or that "Congress included Yellowstone within the District of Wyoming" are of no moment. *See* Pls.' Resp. 18. Further, even if tangential contacts with Wyoming were relevant in resolving this transfer motion, they do not evince a nexus to—and thus would not support venue in—the District of Columbia. Regardless of any strained connection to Wyoming, Montana is the "true locus of this dispute," *see Pac. Maritime Ass'n*, 905 F. Supp. 2d at 62, and this case should be transferred there.

III. Plaintiffs Concede that no Harm is Imminent.

Plaintiffs suggest that this Court must resolve the pending preliminary injunction before deciding this motion to transfer. Pls.' Resp. 5-8. Not so. *Lab. Corp. of Am. Holdings v. N.L.R.B.*, 942 F. Supp. 2d 1, 5 (D.D.C. 2013) (concluding that a defendant's motion to transfer could be granted prior to ruling on a plaintiff's motion for a preliminary injunction). Further, as argued in Defendants' opening brief, any emergency is of Plaintiffs' own creation. *See* Defs.' Br. 16 (citing *Open Top Sightseeing USA v. Mr. Sightseeing, LLC*, 48 F. Supp. 3d 87, 90 (D.D.C. 2014); *Fund for Animals v. Frizzell*, 530 F.2d 982, 987-88 (D.C. Cir. 1975)).

Plaintiffs respond that they "spent months interviewing over a dozen witnesses, reviewing IBMP documents, piecing together a complex record, reviewing numerous earlier Yellowstone bison cases and materials, and researching the law" and that they "moved as quickly as they could." Pls.' Resp. 4-5. Given that Plaintiffs have represented that they have

been suffering injuries "[o]ver the past six years," *id.*, Ex. A., ECF No. 32-1 at 2, their position strains credulity. Moreover, Plaintiffs offer no explanation as to why they did not bring their challenge on August 16, 2019—when they sent a letter to the Forest Service and Park Service threatening suit—or why the suit did not arrive within the promised thirty days. *Id.* Instead, Plaintiffs further delayed until October 21, then attempted to force Defendants to acquiesce to their demands to close an area of the forest to hunting or else face a punishing emergency briefing schedule. *See* Pls.' Resp. 5; *see also* Compl., ECF No. 1.

Plaintiffs also argue that the interim relief they seek "would currently impact no one" because bison hunting is neither ongoing nor imminent, Pls.' Resp. 3, while in the same breath arguing that a preliminary injunction is necessary to remedy "irreparable harms . . . [that] could happen at any time." *Id.* at 3-4. Plaintiffs cannot have it both ways. Either hunting is imminent—in which case the harm of an injunction to federal, state, local, and tribal interests is also imminent—or else there is no emergency warranting immediate relief. Because Plaintiffs now concede that hunting is not imminent and may not begin until next year, there is no reason this Court cannot transfer the entire case—including Plaintiffs' "emergency" motion—to the District of Montana.

CONCLUSION

As described above and in Defendants' opening brief, the balance of private and public factors in this case weighs strongly in favor of transfer to the District of Montana. This Court should transfer the entire case to the District of Montana.

Respectfully submitted this eighth day of November, 2019,

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