

DECEMBER 30, 2016

STATE OF NORTH DAKOTA

Hulm, Petra

From: Dan Massoglia <dmassoglia@gmail.com>
Sent: Friday, December 30, 2016 12:03 AM
To: (SUP) Clerk of Court Office
Subject: Standing Rock Public Comment

Dear Penny and the Court,

Good evening. I am a private attorney based out of Chicago. My comments on the question of allowing out-of-state counsel for cases associated with the No Dakota Access Pipeline protests are as follows:

In essence, I find it difficult to think of a reason for barring out-of-state representation for these protestors that would not have the end effect of chilling and punishing vital First Amendment expression.

Practically speaking, a Court decision in favor of this restriction, regardless of the judicial rationale, will restrict speech and will likely strike the public as being targeted specifically to doing just this. I could not question anyone who concluded as much.

A "no" on this issue means potentially throwing more people in jail for their exercise of First Amendment rights targeted addressing a problem that if unchecked will leave yours and my children or grandchildren without a habitable planet to live on. That would be a shameful legacy.

Respectfully,
Daniel Massoglia

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Daniel Massoglia
Attorney and Counselor at Law