

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

OAK RIDGE ENVIRONMENTAL PEACE)
ALLIANCE,)
NUCLEAR WATCH OF NEW MEXICO,)
NATURAL RESOURCES DEFENSE)
COUNCIL,)
RALPH HUTCHINSON,)
ED SULLIVAN,)
JACK CARL HOEFER, and)
LINDA EWALD,)
Plaintiffs,)

Case 1:17-cv-01446-RJL

v.

JAMES RICHARD PERRY, SECRETARY,)
UNITED STATES DEPARTMENT OF)
ENERGY, and)
FRANK G. KLOTZ, ADMINISTRATOR,)
NATIONAL NUCLEAR SECURITY)
ADMINISTRATION,)
Defendants.)

**DEFENDANTS' MOTION TO TRANSFER CASE TO THE
EASTERN DISTRICT OF TENNESSEE**

Pursuant to 28 U.S.C. § 1404(a), Defendants James Richard Perry, Secretary, United States Department of Energy, and Frank G. Klotz, Administrator, National Nuclear Security Administration (Defendants), hereby move to transfer the above-captioned action to the federal district court for the Eastern District of Tennessee. Venue is permissible in Eastern District of Tennessee, and this lawsuit asserting that additional environmental analysis is needed for approved construction and upgrades to be performed at the Y-12 National Security Complex in

Oak Ridge, Tennessee should be adjudicated in that local district where that facility is located, the underlying environmental analysis was completed, and the projected environmental impacts of the challenged action will occur. For these reasons and those set forth in the accompanying Memorandum, Defendants' motion to transfer this case to the Eastern District of Tennessee should be granted. Counsel for Defendants consulted with counsel for Plaintiffs, who indicated that they oppose transfer.

Respectfully submitted this 28th day of September, 2017.

JEFFREY H. WOOD
Acting Assistant Attorney General

/s/ Thomas K. Snodgrass
Thomas K. Snodgrass, Senior Attorney
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section

Counsel for Defendants

Of Counsel
Terri Slack
NNSA Production Office Counsel
Oak Ridge, Tennessee

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2017, I electronically filed the foregoing document and its attachments with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to all parties.

/s/ Seth Allison
Paralegal
United States Department of Justice
Environment & Natural Resources Division