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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF ALASKA

SHELL OIL COMPANY, a Delaware  
 corporation,  
  
 Plaintiff,  
  
 v.  
  
 GREENPEACE, INC., a California  
 corporation, and JOHN and JANE DOES 1-20,  
  
 Defendants.

Case No.: 3:12-cv-00042-SLG

[PROPOSED] ORDER GRANTING  
 MOTION FOR TEMPORARY  
 RESTRAINING ORDER &  
 PRELIMINARY INJUNCTION

THIS COURT, having reviewed the Plaintiff’s Complaint, Motion for Temporary Restraining Order and Preliminary Injunction and supporting declarations, and having considered Defendants’ opposition and the arguments presented by counsel,

Based upon the foregoing, this Court hereby FINDS that Plaintiff has demonstrated that the entry of a temporary restraining order enjoining certain threatened activity by Defendant Greenpeace, Inc. (“Greenpeace”) as part of an organized and staged protest of oil and gas exploration in the Arctic is well warranted. Greenpeace has already engaged in specific illegal acts against Plaintiff Shell Oil Company (“Shell”) exploration drilling vessel, and has succeeded

[PROPOSED] ORDER GRANTING TRO & PRELIMINARY INJUNCTION  
*Shell Oil Company v. Greenpeace, Inc., et al.*

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in trespassing on, and tortiously interfering with operation of a drilling vessel. Moreover, Greenpeace has demonstrated an ability to engage in further illegal activities against Shell's vessels, property and facilities, and intent to perpetrate additional illegal acts of trespass and tortious interference. Based upon Plaintiff's declarations, this Court FINDS that there is a serious possibility of irreparable harm to persons, property and the environment, that the balance of hardships in this instance favors the Plaintiff, and that entry of a restraining order is in the public interest.

Accordingly, this Court hereby GRANTS Plaintiff's motion and ORDERS as follows:

1. Greenpeace, its agents, servants, employees, and all other acting in concert with Greenpeace, are enjoined from:

a. Breaking into or trespassing on any vessel, property or facility in the United States, including any vessel, property or facility located within U.S. territorial waters and waters of the U.S. Exclusive Economic Zone ("EEZ"), that is owned or operated by or on behalf of an affiliate or subsidiary of Shell, and is either identified by a sign, logo, or other identification sufficient to give notice, or regarding which Greenpeace has received actual notice through the pleadings and declarations filed in this action, that such property, facility or vessel is owned or operated by or on behalf of an affiliate or subsidiary of Shell.

b. Tortiously or illegally interfering with the operation, movement or progress of any property or facility in the United States, including any vessel, property or facility located within U.S. territorial waters and waters of the EEZ, that is owned or operated by or on behalf of an affiliate or subsidiary of Shell, and is either identified by a sign, logo, or other identification sufficient to give notice, or regarding which Greenpeace has received actual notice

through the pleadings and declarations filed in this action, that such property, facility or vessel is owned or operated by or on behalf of an affiliate or subsidiary of Shell.

c. Barricading, blocking, or preventing access to or egress from any vessel, property or facility in the United States, including any vessel, property or facility located within U.S. territorial waters and waters of the EEZ, that is owned or operated by or on behalf of an affiliate or subsidiary of Shell, and is either identified by a sign, logo, or other identification sufficient to give notice, or regarding which Greenpeace has received actual notice through the pleadings and declarations filed in this action, that such property, facility or vessel is owned or operated by or on behalf of an affiliate or subsidiary of Shell.

d. Endangering or threatening any employee or visitor of Shell Oil or any of its affiliates who is present on, or as they enter or exit, any vessel, facility or property in the United States, including any vessel, property or facility located within U.S. territorial waters and waters of the EEZ, that is owned or operated by or on behalf of an affiliate or subsidiary of Shell, and is either identified by a sign, logo, or other identification sufficient to give notice, or regarding which Greenpeace has received actual notice through the pleadings and declarations filed in this action, that such property, facility or vessel is owned or operated by or on behalf of an affiliate or subsidiary of Shell.

2. Greenpeace, its agents, servants, employees, and all other acting in concert with Greenpeace, are enjoined from entering the safety zones established by paragraph 3 of this Order.

3. The following safety zones are established:

a. at all times, while underway within U.S. Territorial waters and waters of the EEZ, for a radius of 1 nautical mile around the following vessels (including subsurface

areas): *Noble Discoverer* and its tow assist (including tow lines); and *Kulluk* and its tow vessel (including tow lines).

b. at all times, while anchored within waters of the EEZ in the Chukchi Sea, Arctic Ocean, or the Beaufort Sea, Arctic Ocean, for a radius of 1 nautical mile from the farthest reach of the anchor spread around the following vessels (including subsurface areas): *Noble Discoverer* and its tow assist (including tow lines); and *Kulluk* and its tow vessel (including tow lines).

c. at all times, while moored at any port facility within the United States, for a radius of 500 yards around the vessels (including subsurface areas): *Noble Discoverer* and its tow assist (including tow lines); and *Kulluk* and its tow vessel (including tow lines).

d. at the Gulf of Mexico, within U.S. Territorial waters and waters of the EEZ, for a radius of 500 yards (including subsurface areas) around any exploration or development drilling platform, vessel or facility identified by a sign, logo, or other identification sufficient to give notice that such property, facility or vessel is owned or operated by Shell or one of its affiliates.

e. at all locations and times specified in subparagraphs “a” through “d” above, for vertical distance of 1,500 feet into the airspace above the established safety zones.

4. This injunction is effective as of the date and time that Plaintiff shall have placed with the clerk of the court a cash bond or other appropriately secured undertaking to pay costs associated with the temporary restraining order should it later be determined to have been wrongly issued. The penal sum of such bond shall be One Thousand Dollars (\$1,000.00).

5. This temporary restraining order shall be in effect for a period of ten (10) days from the date of this Order unless extended by further order of this Court.

6. A hearing on Plaintiff's motion for a preliminary injunction is scheduled before this Court for March \_\_, 2012 at \_\_\_\_\_. Any opposition by defendants to Plaintiff's motion shall be served and filed on or before \_\_\_\_\_, 2012, and Plaintiff's shall serve and file any reply on or before \_\_\_\_\_, 2012.

IT IS SO ORDERED this \_\_\_ day of February, 2012.

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Honorable Sharon L. Gleason  
U.S. District Court Judge  
District of Alaska

#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 27th of February, a copy of the foregoing [PROPOSED] ORDER GRANTING MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION (RULE 65) was served on the following parties via hand-delivery and regular U.S. mail:

Greenpeace, Inc.  
125 Christensen Drive, Ste. 2  
Anchorage, AK 99501

Greenpeace, Inc.  
475 Katlian Street  
Sitka, AK 99835

Greenpeace, Inc.  
75 Arkansas Street, Ste. 1  
San Francisco, CA 94107

s/ Jeffrey W. Leppo  
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Jeffrey W. Leppo

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