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DV-56-2026-0000855-DK
Zink, Ed
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MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
YELLOWSTONE COUNTY

LAUREL CARED, Plaintiff, vs. STATE OF MONTANA, Defendant.	Cause No.: DV-56-2026-0000855-DK Judge: Hon. Ed Zink **PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISSOLVE INJUNCTION**

On September 18, 2026, Defendant moved to dissolve the preliminary injunction issued by the Court following Defendant's issuance of a revised environmental assessment for the proposed forensic mental health facility on a property near Laurel the same day. Doc. 45. Counsel for Plaintiff communicated to Defendant that it opposed the motion, as the Revised Final Environmental Assessment was not available for Plaintiff to review when Defendant contacted Plaintiff's counsel for Plaintiff's position. Having reviewed the Revised Final Environmental Assessment and the additions to the record, Plaintiff does not oppose dissolution of the existing injunction insofar as that injunction pertains to the prior environmental assessment.

However, Plaintiff requests the Court leave the existing injunction in place until it has an opportunity to rule on Plaintiff's Second Motion for a Temporary Restraining Order and Preliminary Injunction, filed contemporaneously with this response. As explained in that motion and accompanying brief, the Revised Final Environmental Assessment's analysis of the Facility's water demand, the City of Laurel's capacity to serve the Facility, and the means by which Defendant may obtain water service does not comply with the Montana Environmental Policy Act. Allowing Defendant to proceed with construction given these deficiencies will irreparably harm Plaintiff. Maintaining the injunction for that limited period will preserve the status quo, prevent construction from beginning before the Court can consider Plaintiff's renewed request for relief, and avoid unnecessary disruption and expense from mobilizing and potentially halting construction activities in the interim.

Defendant itself asks that dissolution permit acts in furtherance of construction to resume immediately. A brief continuation of the existing injunction will allow the Court to address the two motions in an orderly manner without any intervening change in conditions at the site.

Respectfully submitted this 2nd day of October, 2026.

/s/ Elizabeth M. Forster
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CERTIFICATE OF SERVICE

I, Elizabeth Marie Forster, hereby certify that I have served true and accurate copies of the foregoing Answer/Brief - Response Brief to the following on 10-02-2026:

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