

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

BAD RIVER BAND OF THE LAKE
SUPERIOR TRIBE OF CHIPPEWA
INDIANS OF THE BAD RIVER
RESERVATION,

Plaintiff,

v.

ENBRIDGE ENERGY COMPANY, INC.,
and ENBRIDGE ENERGY, L.P.,

Defendants.

Case No. 3:19-cv-00602-wmc

Judge William M. Conley

ENBRIDGE ENERGY COMPANY, INC.,
and ENBRIDGE ENERGY, L.P.,

Counter-Plaintiffs,

v.

BAD RIVER BAND OF THE LAKE
SUPERIOR TRIBE OF CHIPPEWA
INDIANS OF THE BAD RIVER
RESERVATION and NAOMI TILLISON,
in her official capacity,

Counter-Defendants.

DECLARATION OF GRAHAM BRISBEN

I, Graham Brisben, declare the following on the basis of personal knowledge to which I am competent to testify:

1. I am the CEO and founder of Professional Logistics Group, Inc. (“PLG Consulting”). PLG Consulting is a leading logistics and supply chain consulting firm, which helps shipper, carrier, and private equity clients improve operations, reduce costs, penetrate markets, mitigate risk, and invest wisely. My expertise includes all surface modes of transportation, including rail, truck, marine, pipeline, intermodal, and warehouse and distribution. I founded PLG Consulting in 2001.
2. I previously worked in management at Quality Carriers, Inc./Chemical Leaman Tank Lines and as an Analyst and Trainmaster for Burlington Northern Santa Fe Railway.
3. In total, I have more than 30 years of experience in industry, including transportation, logistics procurement, oil and gas, supply chain management, market analysis, oil and gas, and bulk commodities.
4. I provided expert opinions in this case in an April 8, 2022 Rebuttal Report, which responded to the reports of Mr. William J. Rennie and Mr. Neil Earnest. I also testified at trial on October 28 and October 31, 2022.
5. After trial, my team and I continued to research the likely market reaction to a Line 5 shutdown, including making dozens of calls to key market actors and reviewing countless publicly available government and company documents. In October 2023, we published a 111-page report titled, “Likely Market Responses to a Line 5 Shutdown,” which I believe is the most comprehensive analysis of this issue to date. It is attached as Exhibit 1 to this declaration.
6. Consistent with my testimony at trial, our October 2023 report found that there exists a range of commercially viable and operationally feasible supply chain alternatives for each of the end use destinations and markets that would be affected by a Line 5 shutdown.
7. I have reviewed the declarations recently filed by Enbridge, and I do not believe they undermine this conclusion or the underlying analysis in any way.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 13, 2026



Graham Brisben