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SEP 19 2018

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Attorneys for Defendants

MONTANA TWENTY-SECOND JUDICIAL DISTRICT, STILLWATER COUNTY

BEARTOOTH FRONT COALITION,)
LAZY Y DIAMOND BAR LP, LANA)
and CHARLES J. SANGMEISTER,)
WILLIAM A. and CAROLYN F. HAND,)
and MARGARET BARRON and)
DOXEY RAY HATCH,)

Plaintiffs,

v.

BOARD OF COUNTY)
COMMISSIONERS, STILLWATER)
COUNTY, and HEIDI STADEL, in her)
capacity as Clerk and Recorder of)
Stillwater County,)

Defendants.)

Cause No.: DV-18-12

**DEFENDANTS' MOTION FOR
EXTENSION ON RESPONSE
TO PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

COME NOW the Defendants, Board of County Commissioners, Stillwater County, and Heidi Stadel, in her capacity as Clerk and Recorder of Stillwater County (hereinafter "Defendants"), by and through their attorneys, Bethany A. Gross of the Budd-Falen Law Offices, LLC, and Nancy L. Rohde, Stillwater County Attorney and hereby submit their Motion for Extension on Response to Plaintiffs' Motion for Summary Judgment. Pursuant to Rule

6(b)(1)(A) of the Montana Rules of Civil Procedure, the Defendants seek an extension of time to respond to Plaintiffs' Motion for Summary Judgment filed on August 28, 2018. Rule 56(c)(1)(B) of the Montana Rules of Civil Procedure provides that a party opposing a motion for summary judgment must file a response, and any opposing affidavits, within twenty-one (21) days after the motion is served. Accordingly, Defendants' required response and supporting affidavits are due by September 18, 2018. Defendants seek an extension of this deadline until Thursday, November 1, 2018.

An extension of time until Thursday, November 1, 2018 is necessary for Defendants so that they may be able to file an appropriate response to the Motion for Summary Judgment filed by Plaintiffs. This includes sufficient time to review and evaluate the 100 pages of documents pertaining to Plaintiffs' Motion for Summary Judgment, and sufficient time to gather relevant affidavits in support of Defendants' response.

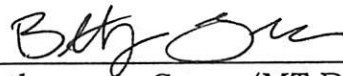
Most importantly, the outcome of Plaintiffs' Motion for Summary Judgment has great potential for serious impacts to the State of Montana in general but especially for Stillwater County. Consequently, Defendants' response must go through various levels of review and input through the County Attorney, the County Clerk and Recorder, and each of the Stillwater County Commissioners. Considering that the time of year leading up to the general election in early November is a busy time for the County officials, and considering the current litigation schedule of Defendants' counsel,

Defendants would have much difficulty responding to Plaintiffs' Motion for Summary Judgment earlier than November 1, 2018.

Counsel for Defendants conferred with counsel for Plaintiffs regarding this Motion on September 11, 2018. Counsel for Plaintiffs indicated that they would prefer that Defendants respond by October 9, 2018. However, for the reasons stated above, Defendants would need more time than October 9, 2018 in order to file an appropriate response.

WHEREFORE the Defendants hereby respectfully request that the Court enter an Order allowing the Defendants to respond to Plaintiffs' Motion for Summary Judgment by no later than Thursday, November 1, 2018, and for such other and further relief as the Court deems just and proper in this action.

RESPECTFULLY SUBMITTED this 13th day of September, 2018.



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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I caused a true and correct copy of the foregoing to be deposited in the United States Mail, postage prepaid, and delivered via electronic mail on this 13th day of September, 2018 to the following:

David K.W. Wilson, Jr.
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Plaintiffs,

v.

BOARD OF COUNTY
COMMISSIONERS, STILLWATER
COUNTY, and HEIDI STADEL, in her
capacity as Clerk and Recorder of
Stillwater County

Defendants.

**ORDER GRANTING
DEFENDANTS' MOTION FOR
EXTENSION ON RESPONSE
TO PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

MORRISON, SHERWOOD
WILSON & DEOLA, PLLP

THIS MATTER having come before the Court on the Defendants' Motion for Extension on Response to Plaintiffs' Motion for Summary Judgment, and the Court being fully advised in the premises finds good cause to grant it.

IT IS HEREBY ORDERED, that for good cause shown, the Defendants' Motion is GRANTED. As such, Defendants shall have until Thursday, November 1, 2018 to file their response brief, including supporting affidavits, to Plaintiffs' Motion for Summary Judgment.

DATED this ___ day of September, 2018.

District Judge