

IN THE SUPREME COURT OF THE STATE OF MONTANA

Case No. DA 18-0110

MONTANA ENVIRONMENTAL INFORMATION CENTER,
and SIERRA CLUB,

Plaintiffs and Appellees,

v.

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,

Defendant and Appellant,

and

WESTERN ENERGY COMPANY,

Defendant/Intervenor and Appellant.

UNOPPOSED MOTION FOR 60-DAY EXTENSION OF TIME

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Pursuant to Montana Rule of Appellate Procedure 26(1), Plaintiffs and Appellees Montana Environmental Information Center and Sierra Club (collectively, “Conservation Groups”) respectfully move this Court for a 60-day extension of time to file their response brief in this appeal, from Friday, July 13, 2018, to Tuesday, September 11, 2018.

Undersigned counsel has contacted and conferred with counsel for all other parties, and no party objects to this motion.

Additional time is required because undersigned counsel who has sole responsibility for preparing Conservation Groups’ response to opening briefs by Appellants Montana Department of Environmental Quality and Western Energy Company is involved in multiple cases requiring significant attention over the next eight weeks, including (1) reply in support of summary judgment in *WildEarth Guardians v. Office of Surface Mining*, No. 17-80-BLG-SPW-TJC (D. Mont.); (2) proposed findings of fact and conclusions of law following hearing in *In re Rosebud Strip Mine*, No. BER 2016-03 SM (Mont. Bd. of Env’tl. Rev.); (3) reply brief in *Diné Citizens Against Ruining Our Environment v. Bureau of Indian Affairs*, No. 17-17320 (9th Cir.); (4) answer in *Signal Peak Energy, LLC v. Montana Environmental Information Center*, DV

18-869 (Mont. 13th Jud. Dist.). Additionally, undersigned counsel will be out of the office on a pre-planned family vacation from August 10 to August 24, 2018.

I am exercising diligence in this matter, having begun to review opening briefs by the parties and amici, and will file the response brief in the time requested.

For the foregoing reasons, the Conservation Groups respectfully request a 60-day extension, up to and including Tuesday, September 11, 2018, to file their response brief in this matter.

Respectfully submitted this 28th day of June, 2018.

s/ Shiloh Hernandez
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CERTIFICATE OF SERVICE

I, Shiloh Silvan Hernandez, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed - Extension of Time - Brief to the following on 06-28-2018:

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