

## IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 18-0110

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MONTANA ENVIRONMENTAL INFORMATION CENTER AND THE SIERRA CLUB,  
*Plaintiffs-Appellees,*

vs.

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,  
*Defendant-Appellant,*

and

WESTERN ENERGY COMPANY,  
*Intervenor-Defendant-Appellant.*

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SECOND STIPULATION AND JOINT UNOPPOSED MOTION TO  
CORRECT THE DISTRICT COURT RECORD FOR CAUSE NO. CDV  
2012-1075

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On appeal from the Montana First Judicial District Court, Lewis and  
Clark County, Honorable Kathy Seeley, Presiding

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Counsel for Plaintiffs-Appellees Montana Environmental Information and the Sierra Club, Defendant-Appellant Montana Department of Environmental Quality, and Intervenor-Defendant-Appellant Western Energy Company stipulate and agree that the attached Exhibits 1-22 were inadvertently omitted from the District Court record for Cause No. CDV 2012-1075 filed in the above captioned case on March 26, 2018. The Parties agree and stipulate that Exhibits 1-22 were attached to and should have been included as Exhibits 1-22 to District Court Docket Entry 35 (Affidavit of Shiloh Hernandez) and transmitted by the District Court with electronic documents 1-74.

The Plaintiffs-Appellees Montana Environmental Information Center and the Sierra Club, and Defendant-Appellant Montana Department of Environmental Quality hereby move jointly to correct the District Court record by entering the attached Exhibits 1-22 as attachments to District Court Docket Entry 35. Intervenor-Defendant-Appellant Western Energy Company does not oppose this motion. A proposed order is attached to this motion.

Respectfully submitted this 11th day of September, 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 - Other to the following on 09-11-2018:

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Dated: 09-11-2018