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IN THE SUPREME COURT OF THE STATE OF MONTANA  
DA 18-0607

IN RE THE ESTATE OF EDWARD M. BOLAND,

Deceased,

PAUL BOLAND and MARY GETTEL,  
As Heirs of the Estate of Dixie L. Boland,

Petitioners and Appellants,

v.

CHRIS BOLAND, BARRY BOLAND, ED BOLAND  
CONSTRUCTION, INC., and NORTH PARK  
INVESTMENTS, LLC,

Respondents and Appellees,

**APPELLANTS' UNOPPOSED  
MOTION FOR EXTENSION OF  
TIME FOR FILING THEIR OPENING BRIEF**

COME NOW the Petitioners/Appellants, Paul Boland and Mary Gettel, by and through their attorney of record, and pursuant to Rule 16 and 26(1), M.R.App.P., and move for an extension of time for 5 business days within which to file their opening brief in this combined case. This is the third extension of time requested by these

Appellants since the case was combined by this Court with DA 18-0370. Since the last motion for extension of time, this Court granted the Appellees' motion to dismiss the appeal without prejudice and granted individual heirs, Paul Boland and Mary Gettel, the right to appeal provided they first file a Notice of Appeal. That Notice of Appeal has now been filed and the normal procedures for determining when the brief is due have not even yet been determined or noticed. However, this Court then granted Appellants' previous Motion for an Extension of Time until today, January 17, 2019.

Although counsel has now prepared the brief, it needs further review and some time will be needed to reduce the size of the combined brief to meet the word requirements of one brief plus counsel will need time for preparing the Appendix and Index. Counsel believes it can be done in 2 or 3 days but would request 5 working days or until Friday, January 25, 2019 to make sure everything is in order.

The undersigned has contacted Appellees' counsel, Jason Holden, and determined that Appellees' do not oppose this Motion.

Therefore, Appellants respectfully request that the Motion be granted and the time for filing Appellants' combined opening brief involving Paul Boland and Mary Gettel as individual devisees be extended up to and including Friday, January 25, 2019.

Respectfully submitted this 17<sup>th</sup> day of January, 2019.

TOWE, BALL, MACKKEY, SOMMERFELD  
& TURNER, PLLP  
Attorneys for Petitioners/Appellants

By:   
THOMAS E. TOWE, ESQ.

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered to the following counsel of record, served by e-service and/or U.S. mail, postage-prepaid, upon:

Jason T. Holden  
Katie R. Ranta  
Jean Faure  
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Dated this 17<sup>th</sup> day of January 2019.

TOWE, BALL, MACKKEY, SOMMERFELD  
& TURNER, P.L.L.P.  
Attorney for Petitioners/Appellants

By:   
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## CERTIFICATE OF SERVICE

I, Thomas E. Towe, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed - Extension of Time - Brief to the following on 01-17-2019:

Jason Trinity Holden (Attorney)  
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Electronically Signed By: Thomas E. Towe  
Dated: 01-17-2019