

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 14-DAY EXTENSION OF TIME TO
FILE PETITION FOR REHEARING

Shiloh Hernandez
WESTERN ENVIRONMENTAL
LAW CENTER
103 Reeder's Alley
Helena, MT 59601
406.204.4861
hernandez@westernlaw.org

*Counsel for Plaintiffs and
Appellees Montana
Environmental Information
Center and Sierra Club*

Kirsten Bowers
Edward Hayes
MONTANA DEPARTMENT OF
ENVIRONMENTAL QUALITY
1520 East Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901
406.444.4222
406.444.1425
kbowers@mt.gov
ehayes@mt.gov

*Counsel for Defendant and
Appellant Montana Department of
Environmental Quality*

John Martin
HOLLAND & HART LLP
975 F Street NW, Suite 900
Washington, D.C. 20004
P.O. Box 68
25 South Willow Street
Jackson, WY 83001

202.654.6915 (DC)
307.734.3521 (WY)
jcmartin@hollandhart.com

William W. Mercer
Victoria A. Marquis
HOLLAND & HART LLP
401 N. 31st Street, Suite 1500
P.O. Box 639
Billings, MT 59103-0639
406.252.2166
wwmerc@hollandhart.com
vmarquis@hollandhart.com

*Counsel for Defendant and
Appellant Western Energy
Company*

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 14-day extension of time to file any petition for rehearing, from Thursday, September 26, 2019, to Thursday, October 10, 2019.

Undersigned counsel has contacted and conferred with counsel for all other parties, and no party objects to this motion. The Department does not oppose the motion, and Western Energy Co. takes no position.

Additional time is required because undersigned counsel who has sole responsibility for preparing any petition for rehearing was out of the office when the Court issued its opinion and is subject to existing obligations in multiple other matters.

I am exercising diligence in this matter, having reviewed the opinion and conferred with clients, and will file any petition for rehearing within in the time requested.

For the foregoing reasons, the Conservation Groups respectfully request a 14-day extension, up to and including Thursday, October 10, 2019, to file any petition for rehearing in this matter.

Respectfully submitted this 19th day of September, 2019.

s/ Shiloh Hernandez
Shiloh Hernandez
Western Environmental Law Center
103 Reeder's Alley
Helena, MT 59601
hernandez@westernlaw.org
406.204.4861

*Counsel for Plaintiffs and Appellees
Montana Environmental Information
Center and Sierra Club*

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 - Other to the following on 09-19-2019:

Kirsten Hughes Bowers (Attorney)
1520 E. 6th Ave.
P.O. 200901
Helena MT 59620
Representing: Environmental Quality, Montana Department of
Service Method: eService

Matthew Kellogg Bishop (Attorney)
Western Environmental Law Center
103 Reeder's Alley
Helena MT 59601
Representing: Montana Environmental Information Center, Sierra Club
Service Method: eService

Laura Helen King (Attorney)
103 Reeder's Alley
Helena MT 59601
Representing: Montana Environmental Information Center, Sierra Club
Service Method: eService

William W. Mercer (Attorney)
401 North 31st Street
Suite 1500
PO Box 639
Billings MT 59103-0639
Representing: Western Energy Company
Service Method: eService

Edward Hayes (Attorney)
Department of Environmental Quality
1520 E. 6th Avenue
Helena MT 59601
Representing: Environmental Quality, Montana Department of
Service Method: eService

Mary Christina Surr McCann (Attorney)

201 W. Railroad St., Suite 300

Missoula MT 59802

Representing: Treasure State Resource Association of Montana, Montana Petroleum Association (MPA), Montana Coal Council, Montana Mining Assoc., et al., Montana Association of Oil, Gas, and Coal Counties, Rosebud County

Service Method: eService

Victoria A. Marquis (Attorney)

401 North 31st Street

Suite 1500

P.O. Box 639

Billings MT 59103-0639

Representing: Western Energy Company

Service Method: eService

William John Tietz (Attorney)

P.O. Box 1697

800 N. Last Chance Gulch Ste. 101

Helena MT 59624

Representing: Treasure State Resource Association of Montana, Montana Petroleum Association (MPA), Montana Coal Council, Montana Mining Assoc., et al., Montana Association of Oil, Gas, and Coal Counties, Rosebud County

Service Method: eService

Steven T. Wade (Attorney)

PO Box 1697

Helena MT 59624

Representing: Treasure State Resource Association of Montana, Montana Petroleum Association (MPA), Montana Coal Council, Montana Mining Assoc., et al., Montana Association of Oil, Gas, and Coal Counties, Rosebud County

Service Method: eService

Laura S. Ziemer (Attorney)

317 North Ida Avenue

Bozeman MT 59715

Representing: Trout Unlimited, Montana Council of

Service Method: eService

Megan Casey (Attorney)

321 E Main Street

no. 411

Bozeman MT 59715

Representing: Trout Unlimited, Montana Council of

Service Method: eService

Andrew Scott Gorder (Attorney)

140 S. 4th St. W Unit #1

Missoula MT 59801

Representing: Clark Fork Coalition

Service Method: eService

John C. Martin (Attorney)

P.O. Box 68

25 S. Willow Street

Suite 200

Jackson WY 83001

Representing: Western Energy Company

Service Method: eService

Patrick Arthur Byorth (Attorney)

321 E. Main Street, Suite 411

Bozeman MT 59715

Representing: Trout Unlimited, Montana Council of

Service Method: E-mail Delivery

Electronically Signed By: Shiloh Silvan Hernandez

Dated: 09-19-2019