FILED

09/24/2019

Bowen Greenwood CLERK OF THE SUPREME COURT STATE OF MONTANA

Case Number: OP 19-0304

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. OP 19-0304

MARY ANN MURRAY and LIGE M. MURRAY,

Plaintiffs/Counter-Defendants/Appellees

v.

BEJ MINERALS, LLC and RTWF LLC,

Defendants/Counter-Claimants/Appellants.

UNOPPOSED MOTION TO MOVE ARGUMENT ONE DAY FROM NOVEMBER 6 TO NOVEMBER 7

ON A QUESTION CERTIFIED TO THIS COURT BY THE UNTIED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, CAUSE NO. 16-35506

Chief Circuit Judge Sidney R. Thomas, Presiding

APPEARANCES

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Counsel for Defendants/Counter-Claimants/Appellants BEJ Minerals, LLC and RTWF LLC Harlan B. Krogh Eric Edward Nord CRIST, KROGH & NORD, PLLC 2708 1st Avenue North Suite 300 Billings, MT 59101 Telephone: 406.255.0400 hkrogh@cristlaw.com enord@cristlaw.com

Counsel for Plaintiffs/Counter-Defendants/Appellees Mary Ann Murray and Lige M. Murray Argument in this matter is currently set for November 6, 2019. Appellants respectfully ask if it can be moved to November 7, 2019, for the following reasons.

Eric Wolff is counsel for Appellants BEJ Minerals LLC et al. On November 5, Mr. Wolff is scheduled to present argument to the Ninth Circuit in Pasadena in *In re: William P. Barr v. Under Seal* (No. 18-56669). Because that case is a sealed matter, it could very well be heard at the end of that day's calendar to allow closing of the courtroom, which could mean that Mr. Wolff is not able to leave the Pasadena courthouse until early afternoon. To accommodate travel from Pasadena to Helena without risk of complications or delays, moving the argument for *Murray v. BEJ Minerals* to November 7 would be greatly appreciated. Mr. Wolff is very much looking forward to participating in the argument. Counsel for Appellees has been contacted, and this request is unopposed. DATED this 24th day of September, 2019.

PERKINS COIE LLP

By: /s/ Stephanie M. Regenold

Eric B. Wolff Stephanie M. Regenold 1201 Third Avenue, Suite 4900 Seattle, WA 98101-3099

Attorneys for Defendants/Counter-Claimants/Appellants BEJ Minerals, LLC and RTWF LLC

CERTIFICATE OF SERVICE

I, Stephanie M. Regenold, do hereby state that on this date, I served a true and correct copy of the foregoing document upon the individuals listed below, via the following means:

Harlan B. Krogh Eric Edward Nord Crist, Krogh & Nord, PLLC 2708 1st Avenue North Suite 300 Billings, MT 59101 hkrogh@cristlaw.com enord@cristlaw.com

[X] U.S. Mail
[] Facsimile
[] Certified Mail
[] Hand Delivery
[X] Electronic Mail

DATED this 24th day of September, 2019.

PERKINS COIE LLP

By: /s/ Stephanie M. Regenold

Eric B. Wolff Stephanie M. Regenold 1201 Third Avenue Suite 4900 Seattle, WA 98101-3099

Attorneys for Defendants/Counter-Claimants/Appellants BEJ Minerals, LLC and RTWF LLC

CERTIFICATE OF COMPLIANCE

Pursuant to Rule 11(4)(e), M.R. App. P., I hereby certify that this principal brief is printed with a proportionately spaced Times New Roman typeface of 14 points; that it is double-spaced except for footnotes and quoted and indented material; and that the word count is <u>547</u> words, excluding the table of contents, table of authorities, certificate of service and certificate of compliance.

DATED this 24th day of September, 2019.

PERKINS COIE LLP

By: /s/ Stephanie M. Regenold

Eric B. Wolff Stephanie M. Regenold 1201 Third Avenue Suite 4900 Seattle, WA 98101-3099

Attorneys for Defendants/Counter-Claimants/Appellants BEJ Minerals, LLC and RTWF LLC

CERTIFICATE OF SERVICE

I, Stephanie Malinda Regenold, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed - Other to the following on 09-24-2019:

Harlan B. Krogh (Attorney) 2708 1st Avenue North Suite 300 Billings MT 59101 Representing: Mary Ann Murray, Lige M. Murray Service Method: eService

Eric Edward Nord (Attorney) 2708 First Avenue North Suite 300 Billings MT 59101 Representing: Mary Ann Murray, Lige M. Murray Service Method: eService

Lee Bruner (Interested Observer) Service Method: Conventional

Eric B. Wolff (Attorney) Perkins Coie LLP 1201 Third Avenue, Suite 4900 Seattle WA 98101 Representing: BEJ Minerals, LLC, BWTF, LLC Service Method: Conventional

> Electronically Signed By: Stephanie Malinda Regenold Dated: 09-24-2019