

ORIGINAL

FILED

04/02/2020

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 20-0171

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 20-0171

VOLKSWAGEN AKTIENGESELLSCHAFT
D/B/A VOLKSWAGEN GROUP AND/OR
VOLKSWAGEN AG, AUDI AG,
VOLKSWAGEN GROUP OF AMERICA, INC.,
VOLKSWAGEN GROUP OF AMERICA
CHATTANOOGA OPERATIONS, LLC, AUDI
OF AMERICA, LLC, DR. ING. H.C. F.
PORSCHE D/B/A PORSCHE AG, AND
PORSCHE CARS NORTH AMERICA, INC.,

Petitioners,

v.

MONTANA FIRST JUDICIAL DISTRICT
COURT, LEWIS AND CLARK COUNTY,
HONORABLE JAMES P. REYNOLDS,
Presiding,

Respondent.

Petitioners and Defendants Volkswagen Aktiengesellschaft d/b/a Volkswagen Group and/or Volkswagen AG; AUDI AG; Volkswagen Group of America, Inc.; Volkswagen Group of America Chattanooga Operations, LLC; Audi of America, LLC, Dr. Ing. h.c. F. Porsche AG; and Porsche Cars North America, Inc. ("Volkswagen"), seek a writ of supervisory control over the Montana First Judicial District Court in Cause No. DDV-2016-1045 to reverse that court's Order denying Volkswagen's motion to dismiss. Volkswagen maintains the District Court erred in concluding it could exercise personal jurisdiction over Volkswagen in this matter and that the claims asserted in this matter are not pre-empted by the Clean Air Act.

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APR 02 2020

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

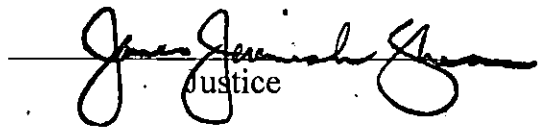
Having reviewed the Petition and the challenged Order, this Court deems it appropriate to obtain a summary response. Therefore, in accordance with M. R. App. P. 14(7),

IT IS ORDERED that the First Judicial District Court, and Plaintiff Montana Department of Environmental Quality, or both, are granted 30 days from the date of this order, to prepare, file, and serve a response to the petition for writ of supervisory control in Cause No. DDV-2016-1045.

The Clerk is directed to provide immediate notice of this Order to counsel for Petitioner, all counsel of record in the First Judicial District Court Cause No. DDV-2016-1045, and to the Honorable James P. Reynolds, presiding District Judge.

DATED this 2nd day of April, 2020.

For the Court,

By  Justice