

**ORIGINAL**

**FILED**

05/21/2020

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 20-0169

IN THE SUPREME COURT OF THE STATE OF MONTANA  
Supreme Court Case No. DA-20-0169

Dennis Konopatzke  
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**FILED**

MAY 21 2020

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

DENNIS KONOPATZKE,

Appellant,

v.

DARRELL S. WORM and OGLE &  
WORM, PLLP,

Appellee.

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**MOTION TO EXTEND  
TIME TO FILE BRIEFS**

COMES NOW Dennis Konopatzke, the Appellant in the above-captioned appeal, and hereby requests that all briefing deadlines in this appeal be extended so that mediation can be conducted.

1. This appeal is subject to the mediation process required by M. R. App. P. 7 and has been referred to mediation.

2. The mediator has contacted the parties and the mediator and parties are attempting to schedule a mediation via video conferencing. The mediator has available dates later this month and in early June.

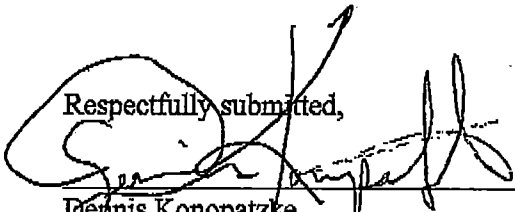
3. Appellant's Opening Brief is due May 28, 2020. M.R.App.P. 13(a). Appellees' briefs are due there after pursuant to the Montana Rules of Appellate Procedure.

4. The mediator has suggested that the parties seek an extension on the briefing schedule so that the mediation may be completed. Appellant and the mediator have proposed dates running into June to Appellees. Due to the shelter in place directives related to COVID-19 and

the resulting response delays, the parties have not yet been able to obtain a firm date for mediation. In order to allow the parties to fully mediate the matter without occurring additional costs related to the briefing process for appeal, a postponement of the briefing deadlines serves the interests of justice.

5. Accordingly, Appellant requests an extension of the briefing deadlines of 60 days to allow mediation to occur.

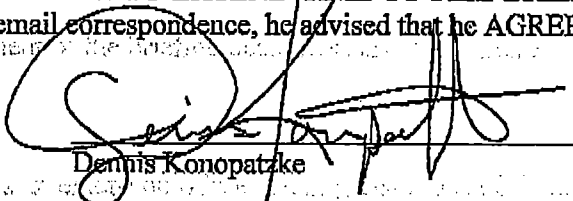
Respectfully submitted,



Dennis Konopatzke  
PO Box 613307  
Dallas, Texas 75261

**CERTIFICATE OF CONFERENCE**

I hereby certify that on the 18<sup>th</sup> day of May, 2020, I contacted Darrell S. Worm, counsel for Appellees, regarding the contents of this MOTION TO EXTEND TIME TO FILE BRIEFS and on the 19<sup>th</sup> day of May, 2020, via written email correspondence, he advised that he AGREED to the relief requested herein:



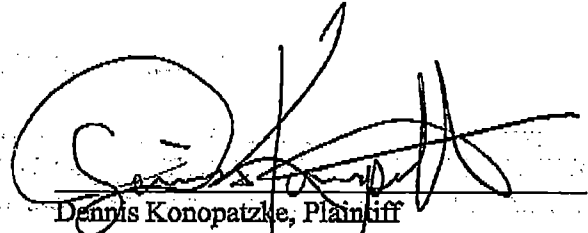
Dennis Konopatzke

**CERTIFICATE OF SERVICE**

I hereby certify that I have filed a true and accurate copy of the foregoing MOTION TO EXTEND TIME TO FILE BRIEFS with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing to each attorney of record as follows:

Darrell S. Worm  
Ogle, Worm & Travis, PLLP  
P.O. Box 899  
Kalispell, MT 59903-0899

Dated this 20<sup>th</sup> day of May, 2020.



Dennis Konopatzke, Plaintiff