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*Attorneys for BNSF Railway Company and John Swing*

IN THE ASBESTOS CLAIMS COURT OF THE STATE OF MONTANA

|                                                              |                                                                                                                                                                                                                                  |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IN RE ASBESTOS LITIGATION,<br><br><i>Consolidated Cases.</i> | Cause No. AC 17-0694<br><br><b>DEFENDANT BNSF'S<br/>UNOPPOSED MOTION FOR<br/>EXTENSION OF TIME</b><br><br>Applicable to All Cases<br><br>THIS DOCUMENT RELATES TO:<br>All Claims Addressed in the Court's<br>June 17, 2020 Order |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

COMES NOW Defendant BNSF Railway Company and respectfully submits its Unopposed Motion for Extension of Time to File Defendant's Response to Plaintiffs' Motion for Additional Parameters Re: Court's Mandatory Settlement Conference. Due to a positive Covid-19 test result which resulted in one of Defendant's offices closing to quarantine, counsel is requesting a one-week

extension to file the response, moving the deadline from October 20, 2020, to October 26, 2020.

Counsel for BNSF has conferred with counsel for Plaintiffs and they do not oppose the extension. See **Exhibit A** (Email with Plaintiffs' Counsel).

For the foregoing reasons, Defendant BNSF respectfully requests that the Court enter an order extending the time to file their response brief until October 26, 2020.

A proposed Order is filed herewith.

DATED this 20th day of October, 2020.

KNIGHT NICASTRO MACKAY, LLC

/s/ Anthony M. Nicastro  
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# EXHIBIT A

**From:** [W. Adam Duerk](#)  
**To:** [Jinnifer Mariman](#); [Kelli Torbeck](#)  
**Cc:** [Chad M. Knight](#); [Anthony M. Nicaastro](#); [Adria R. Kassion](#)  
**Subject:** Extension of Response to P's Motion for Settlement Conference Parameters  
**Date:** Tuesday, October 20, 2020 12:52:16 PM  
**Attachments:** [image002.png](#)

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Jinnifer,

Thank you for the extension of the deadline for BNSF's Response to Plaintiff's Motion for Additional Parameters for Settlement Conference. The new deadline is Monday, October 26. Greatly appreciated.

Best,  
Adam



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I, Anthony Michael Nicastro, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 10-20-2020:

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