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IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 20-0391

TRACY FORTNER, MARCY FORTNER Petitioners/Appellants, v. BROADWATER CONSERVATION DISTRICT Respondent/Appellee.	APPELLANTS' UNOPPOSED MOTION FOR EXTENSION TO FILE OPENING BRIEF (SECOND REQUEST)
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COMES NOW, Hertha L. Lund, Christopher T. Scoones and Ben F. Stormes, counsel of record for Appellants Tracy and Marcy Fortner, and respectfully request a 45-day extension of time from December 2, 2020 until January 18, 2021, to file and serve Appellants' opening brief. The primary reason for this request is confusion on when the record on appeal was received and counsel's busy litigation calendar for the rest of November and December. See Affidavit of Hertha L. Lund, attached hereto. Opposing counsel has been contacted and does not oppose this Motion.

DATED this 20th day of November 2020.

Lund Law PLLC



By: _____

Hertha L. Lund
Attorney for Appellants

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IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 20-0391

TRACY FORTNER AND MARCY FORTNER, Petitioners/Appellants v. CHERI L. DOLL AND WILLIE L. DOLL, Respondent/Appellee	AFFIDAVIT OF HERTHA L. LUND
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COMES NOW, Hertha L. Lund and states under oath as follows:

1. I am an attorney licensed to practice law in Montana.
2. On October 2, 2020, Notice of Transcript was received. However, the Notice of Record was not received until November 6, 2020, rendering the filing date for December 7, 2020.
3. On October 26, 2020, Petitioners filed a motion for extension based on the Notice of Transcript of October 2, 2020. The Clerk of the Supreme Court granted the Motion on October 30, 2020 and the date to file was December 2, 2020. This extension was granted before the record was received.
4. Due to my extremely busy litigation schedule for the remainder of the year,

Petitioners seek an extension for 45 days to file their opening brief.

5. I have contacted Cory Swanson, counsel for Broadwater Conservation District and he does not object to this motion.

FURTHER AFFIANT SAY NAUGHT.

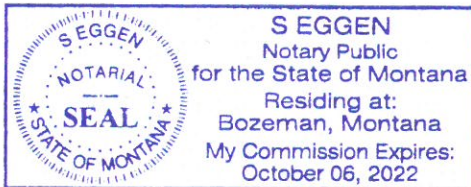
I, Hertha L. Lund, declare under penalty of perjury that the foregoing is true and correct.

DATED this 19th day of November, 2020.


Hertha L. Lund

Subscribed and sworn to me this 19th day of November, 2020, by
Hertha L. Lund.

(notarial seal)



Gallatin County


Notary Public

CERTIFICATE OF SERVICE

I, Hertha Louise Lund, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 11-20-2020:

Cory J. Swanson (Attorney)
515 Broadway Street
Townsend MT 59644
Representing: Broadwater Conservation District
Service Method: E-mail Delivery

Electronically signed by Sarah Eggen on behalf of Hertha Louise Lund
Dated: 11-20-2020