

FILED

04/02/2021

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 21-0125

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 21-0125

DOROTHY BRADLEY, BOB BROWN, MAE NAN ELLINGSON, VERNON
FINLEY, and the LEAGUE OF WOMEN VOTERS OF MONTANA,

Petitioners,

v.

GREG GIANFORTE, Governor of the State of Montana,

Respondent.

FILED

APR 02 2021

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORIGINAL

DECLARATION OF DEREK J. OESTREICHER

APPEARANCES:

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ATTORNEYS FOR PETITIONERS

1. I am a licensed, practicing attorney in the State of Montana, and am currently employed by the Montana Department of Justice, Office of the Attorney General.
2. Attached hereto as *Exhibit A* is a letter our office received from the Montana State Legislature, signed by Representative Wylie Galt, Speaker of the House of Representatives, and Senator Mark Blasdel, President of the Senate.
3. The letter indicates that the Legislature intends to join this office and the Governor of Montana in responding to the Petition for Original Jurisdiction in this case, and requests that our office seek an extension of time so that it may introduce legislative resolutions for that purpose.
4. I hereby declare under penalty of perjury under the laws of the United States of America and the State of Montana that the foregoing is true and correct.

Respectfully submitted this 2nd day of April, 2021.

By: /s/ Derek J. Oestreicher
Derek J. Oestreicher

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document by email and first-class, postage-prepaid mail, to the following addresses:

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Date: April 2, 2021

/s/ Rochell Standish
ROCHELL STANDISH

**DECLARATION OF
DEREK J. OESTREICHER
EXHIBIT A**



MONTANA STATE LEGISLATURE

MONTANA STATE CAPITOL
PO BOX 200500
HELENA MT 59620-0500
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SENATOR MARK BLASDEL
PRESIDENT OF THE SENATE
REPRESENTATIVE E. WYLIE GALT
SPEAKER OF THE HOUSE

April 1, 2021

Attorney General Austin Knudsen
215 N Sanders, Third Floor
PO Box 201401
Helena, MT 59620-1401

Attorney General Knudsen:

We write to inform you that the Montana State Legislature intends to seek intervention in the Montana Supreme Court action of *Brown et al. v. Gianforte*. The Legislature strongly supported SB 140, and we intend to join your office and the Governor in defending it. Both houses will be introducing legislative resolutions for that purpose as soon as possible. We respectfully request that the Attorney General seek an extension of time to respond to the Petition to accommodate those resolutions and allow for the Legislature's timely intervention.

Sincerely,

Handwritten signature of Representative Wylie Galt in black ink.

Representative Wylie Galt
Speaker of the House of Representatives

Handwritten signature of Senator Mark Blasdel in black ink.

Senator Mark Blasdel
President of the Senate