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Attorneys for Defendant

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA 20-0609

ARIANE WITTMAN and JEREMY
TAYLEN,

Plaintiffs/Appellants,

-vs-

CITY OF BILLINGS,

Defendant/Appellee.

**UNOPPOSED
MOTION FOR 15 DAY
EXTENSION OF TIME TO
FILE APPELLEE'S ANSWER
BRIEF**

Appellee City of Billings' counsel hereby moves this Court pursuant to M. R. App. P. 16 and 26(1) for a 15-day extension up to and including June 16, 2021, within which to file Appellee's Answer Brief. The Brief is currently due on June 1, 2021.

The reason for the extension is provided for in the accompanying Affidavit. Counsel for Appellee has been diligently working on its Answer Brief in this matter but will not have time to devote to completing it by June 1, 2012, because counsel is required to devote all their time to a different proceeding which arose on May 27, 2012. This proceeding involves attempting to prevent through the legal process a potential catastrophic failure of a ditch bank, with the consequential need for emergency filings such as a temporary restraining order and an emergency hearing.

The undersigned counsel has contacted Appellants' counsel as to whether they object to this Motion, and they do not object to an extension until June 16, 2021. A proposed order is also attached as convenience for the Court.

DATED this 27th day of May, 2021.

MOULTON BELLINGHAM PC

By /s/ Gerry Fagan
 GERRY P. FAGAN
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Gerry P. Fagan, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 05-27-2021:

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Electronically Signed By: Gerry P. Fagan
Dated: 05-27-2021