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Attorney for Alia Floren

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 21-0181

IN RE THE MARRIAGE OF:

ALIA DAY FLOREN,

Petitioner and Appellee,

v.

JAVIER BAUTISTA-SCHEUBER,

Respondent and Appellant.

UNOPPOSED MOTION FOR

AN EXTENTION OF TIME


TO COMPLETE MEDIATION

Appellant was contacted about this motion, and he stated that he does not oppose the motion.

Appellee moves the Court for an order granting an extension of time to the parties' deadline for mediation. The reason for the motion is to allow the Court to

consider Appellee's opposed motion (filed June 24, 2021) to opt out of mandatory mediation pursuant to M. R. App. P. 7(2)(b) before the current mediation deadline runs, which is June 28, 2021. It is understood that extensions to deadlines are not typically granted within seven days of the deadline, however, Appellee notes that neither party has provided written informed consent to engage in appellate mediation in a case where the Court has reason to suspect that one of the parties has been emotionally abused by the other party. Appellee and Appellant – who does not contest this motion – are confronted with either violating the deadline to mediate or violating the rule against appellate mediation where domestic violence is suspected and there is no written informed consent to attend mediation. Therefore, Appellee motions for a 30 day extension of time to mediate so the opposed motion can be addressed by the Court.

DATED this 25th day of June, 2021.

  
s/ \_\_\_\_\_

William J. Paul, Attorney for Appellee.

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 25th day of June, 2021, I filed this Motion with the Clerk of the Montana Supreme Court and that I mailed copy to Appellant, Javier Bautista-Scheuber, 1441 Edward L. Grant Hwy., Apt. 2A, Bronx, NY 20452 (courtesy copy to: [jbscheuber@gmail.com](mailto:jbscheuber@gmail.com)), and to the Mediator, Debra A. Steigerwalt, Esq., 234 E. Pine Street, Missoula, MT 59802, (courtesy copy to: [debbie@missoulafamilylaw.com](mailto:debbie@missoulafamilylaw.com)).

s/  \_\_\_\_\_

William J. Paul, Attorney for Appellee.

## **CERTIFICATE OF SERVICE**

I, William J. Paul, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 06-25-2021:

Javier Bautista-Scheuber (Appellant)  
1441 Edward L. Grant Hwy., Apt. 2A  
Bronx NY 10452  
Service Method: Conventional

Debra A Steigerwalt (Attorney)  
234 E. Pine Street  
Missoula MT 59802  
Service Method: eService  
E-mail Address: debbie@missoulafamilylaw.com

Electronically Signed By: William J. Paul  
Dated: 06-25-2021