

IN THE SUPREME COURT OF THE STATE OF MONTANA

Case DA-21-0609

WELLS FARGO BANK, N.A.,

plaintiff-appellant,

v.

ZINVEST, LLC,

defendant-appellee.

**APPELLANT'S UNOPPOSED MOTION TO EXTEND
DEADLINE TO FILE INITIAL BRIEF**

on appeal from the Montana Fourth Judicial District Court, Missoula County
Case DV-20-796
The Honorable John W. Larson presiding

Appellant Wells Fargo Bank, N.A. moves to extend the deadline for filing its initial brief for the following reasons:

1. The trial court entered its order granting Zinvest's motion for summary judgment and denying Wells Fargo's cross-motion for summary judgment on November 17, 2021.

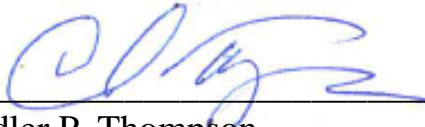
2. Although the trial court's order did not award Zinvest any attorneys' fees or costs, or impose any sanctions, Zinvest filed an application for attorneys' fees and costs of court on November 22, 2021.

3. Wells Fargo filed its notice of appeal on December 2, 2021.
4. Zinvest's application has not been finally decided.
5. A hearing on Zinvest's application is scheduled for March 2, 2022.
6. In the event Zinvest's application is granted, Wells Fargo will, within 10 days of the trial court's order, appeal the decision, request any transcripts be produced and request the clerk supplement the appellate record.
7. Wells Fargo requests an extension of time to file its initial brief until 30 days following the trial court's denial of Zinvest's application or, if the application is granted, the supplemental record is filed.
8. Zinvest is unopposed to the relief requested.

Dated February 14, 2022

Respectfully submitted,

AKERMAN LLP

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*Attorneys for plaintiff-appellant
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CERTIFICATE OF SERVICE

I certify that I have mailed a copy of **APPELLANT'S UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE INITIAL BRIEF** to each attorney of record on February 14, 2022 as follows:

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**VIA CERTIFIED MAIL RECEIPT
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AND VIA EMAIL sgreen@ppbglaw.com**



Chandler P. Thompson

CERTIFICATE OF SERVICE

I, Chandler Poole Thompson, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 02-14-2022:

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Dated: 02-14-2022