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ATTORNEYS FOR DEFENDANTS AND APPELLEES

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 21-0610

MARK DEMING,

Plaintiff and Appellant,

v.

JASON DEMING and KELLY DEMING,

Defendants and Appellees.

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF
AND DECLARATION IN SUPPORT**

The Appellees, Jason Deming and Kelly Deming, respectfully request a 30-day extension of time until July 13, 2022, in which to prepare, serve, and file their response brief in the above-entitled matter. This is the Appellees'

first request for an extension on their response brief. Presently, the Appellees response brief is due on June 13, 2022. The undersigned counsel respectfully submits the following Declaration in support of this motion.

Respectfully submitted this 2nd day of June, 2022.

By: /s/ Kari Lyn Jensen
KARI LYN JENSEN
Attorney for Defendants and Appellees

DECLARATION

Pursuant to Mont. Code Ann. § 1-6-105, I, Kari Lyn Jensen, hereby declare as follows:

1. I am a licensed, practicing attorney in the State of Montana at the law firm Chapman Law Firm, P.C. in Williston, North Dakota.

2. The Plaintiff filed his Opening Brief on May 12, 2022.

3. The Defendants' Response Brief is presently due on June 13, 2022.

The Defendant requests a 30-day extension to file the Response Brief.

4. Counsel for the Defendants had a serious felony jury trial the week of May 23, 2022. Counsel for the Defendants were slated for another serious felony jury trial the week of June 6, 2022, with multiple witnesses, experts, and a great deal of evidence, and were preparing for that trial, which settled May 31, 2022. As a result, Counsel have been unable to research or draft a response to the Plaintiff's Opening Brief.

5. In addition, Kari Jensen, who is working on this case with Attorney Kevin Chapman, has an immediate family member with a very serious medical situation that will likely require her to travel out of state in the next few weeks.

6. Counsel will work diligently to complete the Response Brief in the time requested.

7. Opposing Counsel has been contacted and does not object.

8. 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.

Dated this 2nd day of June, 2022.

/s/ Kari Lyn Jensen
KARI LYN JENSEN

CERTIFICATE OF SERVICE

I, Kari Lyn Jensen, hereby certify that I have served true and accurate copies of the foregoing Motion for Extension of Time and Declaration in Support to the following on June 2, 2022:

Penelope S. Strong
2501 Montana Avenue – Ste. 4
Billings Montana 59101
Attorney for the Plaintiff
Service Method: eService

Electronically signed by Kari Lyn Jensen
Dated: 06-02-2022

CERTIFICATE OF SERVICE

I, Kari Lyn Jensen, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 06-02-2022:

Kevin J. Chapman (Attorney)
417 First Avenue East, Ste 5
PO Box 1920
Williston ND 58802
Representing: Jason Deming, Kelly Deming
Service Method: eService

Penelope S. Strong (Attorney)
2517 Montana Ave.
Billings MT 59101
Representing: Mark Deming
Service Method: eService

Electronically Signed By: Kari Lyn Jensen
Dated: 06-02-2022