

PENELOPE S. STRONG  
Attorney at Law  
2501 Montana Avenue – Ste. 4  
Billings, Montana 59101  
Tel: (406) 839-9220  
Fax: (406) 839-9221  
ps18rabbits@gmail.com

Attorney for Petitioner and Appellee

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

**DA 22-0133**

MEGAN SAYLER,	)
	)
Petitioner and Appellee,	)
	)
and	)
	)
YAN SUN,	)
	)
Respondent and Appellant.	)

---

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

---

COMES NOW, Petitioner and Appellee, MEGAN SAYLER, by and through  
her counsel of record, Penelope S. Strong, pursuant Mont. R. App. Pro. 26 (1), and

respectfully moves the Court for an Extension of Time to File Response to Appellant's 2<sup>nd</sup> Opening Brief from August 5, 2022, to September 6, 2022.

The basis for this motion is included in the Declaration of Counsel.

Opposing counsel was contacted and has no objection to the motion.

DATED this 4<sup>th</sup> day of August, 2022.

/s/ Penelope S. Strong  
Penelope S. Strong  
Attorney for Petitioner and Appellee

### **DECLARATION**

Pursuant to Mont. Code Ann. § 1-6-105, I Penelope S. Strong, hereby declare as follows:

1. I am a licensed, practicing attorney in the State of Montana.
2. The Response to Opening Brief is presently due on August 5, 2022, and is requesting a 30-day extension to file the Response.
3. Counsel is a sole practitioner, and carries a full time case load.
4. My partner had major surgery out of state in mid-June, and I had to take time off to assist in his recuperation, out of state at another residence we have, as he is not fully ambulatory, uses oxygen 24/7, and needs daily assistance.

5. Also, while I was working remotely, my laptop computer failed, and the work on this case I planned on completing could not be accomplished.
6. I discussed this situation today with opposing counsel and she understood and agrees to the relief requested.

DATED this 4<sup>th</sup> day of August, 2022.

/s/ Penelope S. Strong  
Penelope S. Strong  
Attorney for Petitioner and Appellee

### **CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that a true and correct copy of the foregoing was served, by eService upon the following interested parties on this 4<sup>th</sup> day of August, 2022:

Melinda A. Driscoll  
Fred Law Firm, PLLC  
214 N. 24th St.  
P.O. Box 2157  
Billings, MT 59103

Morgan E. Dake  
Crowley Fleck PLLP  
P.O. Box 2529  
Billings, MT 59103-2529

/s/ Julie K. Palmersheim  
Julie K. Palmersheim

## **CERTIFICATE OF SERVICE**

I, Penelope S. Strong, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 08-04-2022:

Melinda Ann Driscoll (Attorney)  
P.O. Box 2157  
Billings MT 59103  
Representing: Sun Yan  
Service Method: eService

Morgan E. Dake (Attorney)  
490 N. 31st Street  
Suite 500 TW2  
Suite 500 TW2  
Billings MT 59101  
Representing: Sun Yan  
Service Method: eService

Electronically Signed By: Penelope S. Strong  
Dated: 08-04-2022