

FILED

08/04/2022

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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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 2nd 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 4th 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 4th 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 4th 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