

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 22-0064

MONTANA ENVIRONMENTAL INFORMATION CENTER and SIERRA CLUB,

Plaintiffs and Appellees,

vs.

WESTERN ENERGY CO., NATURAL RESOURCE PARTNERS, L.P.,
INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 400, and
NORTHERN CHEYENNE COAL MINERS ASSOCIATION,

Respondent-Intervenors and Appellants,

and

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,

Respondent and Appellant,

and

MONTANA BOARD OF ENVIRONMENTAL REVIEW,

Respondent and Appellant.

**PLAINTIFFS-APPELLEES' UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE RESPONSE BRIEF UNDER M.R.A.P. 26(1)**

On appeal from the Montana Sixteenth Judicial District Court, Rosebud County,
Cause No. DV 19-34, the Honorable Katherine M. Bidegaray, Presiding

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Pursuant to Montana Rule of Appellate Procedure 26(1), Plaintiffs-Appellees Montana Environmental Information Center and Sierra Club (Conservation Groups) respectfully request a 30-day extension of time to file their combined response brief. The brief is currently due on September 9, 2022. With the 30-day extension, the brief will be due on Monday, October 10, 2022 (accounting for the weekend rule, Mont. R. App. P. 3).

This modest extension of time is necessary for the Conservation Groups to adequately rebut the extensive arguments set forth in three separate briefs of Appellants, two of which are of expanded length.

Counsel for the Conservation Groups has contacted counsel for Appellants, who have no objection. See Mont. R. App. P. 26(1). A proposed order accompanies this motion. See Mont. R. App. P. 16(1).

For these reasons, Conservation Groups respectfully request that the deadline for filing their combined response brief be extended by 30 days up to and including October 10, 2022.

Respectfully submitted this 2nd day of September 2022.

/s/ Shiloh Hernandez
Shiloh Hernandez

CERTIFICATE OF SERVICE

I, Shiloh Silvan Hernandez, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 09-02-2022:

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Dated: 09-02-2022