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

SUPREME COURT CAUSE NO.: DA 22-0423

IN RE THE MARRIAGE OF:

JACINTA HARRIS,

Appellee,

and

CHRISTOPHER HARRIS,

Appellant.


**AFFIDAVIT OF MARGARET ROSE**

1. I am the Appellant’s counsel of record.
2. Appellant’s opening brief was first due on November 21, 2022.
3. The Order of Mediator Appointment required the parties to attend mediation.
4. Mediation was delayed as the original mediator appointed by the Court was unable to be contacted and did not return my correspondence.
5. The parties requested this Court appoint another mediator and the parties were appointed a new mediator.
6. The Order for Extension of Time (November 14, 2022) extended the deadline of Appellant’s opening brief from November 21, 2022 to December 21, 2022.

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7. On November 21, 2022, the parties attended mediation. Both parties participate in good faith, however, there was no resolution. Such mediation was unsuccessful.
  8. Appellant continues to fulfil his obligations under the Court's orders, maintaining the status quo while this appeal is pending.
  9. Appellant is requesting an additional 30-day extension to provide time to reach a resolution.
  10. Appellant would also like to get through the holiday season for both parties and their respective resources.
  11. This second extension would move the deadline for Appellant's opening brief from December 21, 2022, to January 20, 2023. Appellant's opening brief will be filed within the time requested.
  12. I contacted counsel for Appellee and indicated I would be filing this Motion. Counsel for Appellee did not indicate a position on this extension, and in the interests of timeliness, Appellant thought it best to prepare the motion and file the same for this Court's review.
- FURTHER, AFFIANT SAITH NOT.

I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.

DATED this 15<sup>th</sup> day of December, 2022.

  
Margaret Sullivan Rose  
Appellant Counsel