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Attorneys for Defendant/Appellee

**IN THE SUPREME COURT OF THE STATE OF MONTANA
Cause No. DA 22-0486**

<p>GILBERT R. JOHNSTON, et al.,</p> <p>Plaintiffs and Appellants,</p> <p>vs.</p> <p>FIRST AMERICAN TITLE COMPANY,</p> <p>Defendant and Appellee.</p>	<p>APPELLEE’S UNOPPOSED MOTION FOR SECOND EXTENSION OF TIME TO FILE THE RESPONSE BRIEF</p>
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Appellee First American Title Company (“FATCO”), pursuant to Montana Rule of Appellate Procedure 26(2), moves the Court for a 30-day extension of time to file its response brief, thereby extending the deadline to file from Friday, February 3, 2023, to Monday, March 6, 2023. By Order dated December 20, 2022, this Court previously granted FATCO its first 30-day extension. FATCO’s counsel has exercised reasonable diligence and has substantial need for the extension, which is requested and is necessary due to counsel’s personal family reasons.

Counsel for Appellants was contacted and does not object to the requested extension. This motion is supported by the Affidavit of Jeffrey M. Roth, filed herewith. A proposed order is provided for the Court's consideration.

DATED this 26th day of January, 2023.

CROWLEY FLECK PLLP

By: /s/ Jeffrey M. Roth

Jeffrey M. Roth

Jeffrey R. Kuchel

Michael S. Dockery

Attorneys for Defendant/Appellee

CERTIFICATE OF SERVICE

I, Jeffrey M. Roth, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 01-26-2023:

David Brian Cotner (Attorney)

2700 Radio Way
Missoula MT 59808

Representing: Nancy Cordial, EDS Investments, LLC, Jim S. Ferguson, Stephen R. Gibbs, Jeffrey M. Hollenback, JCO Properties, LLC, Gilbert R. Johnston, Judith A. Johnston, Michael Allen McCracken, Rachelle Amber McCracken, News Development, LLC, Scott Shone, Eric W. Smart, Stephanie Nicole Smart, Brenda J. Smith, Donald Smith, Sean Justin Smith, Gerald B. Woodahl, Susan A. Woodahl
Service Method: eService

Kyle Clark Ryan (Attorney)

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Representing: Nancy Cordial, EDS Investments, LLC, Jim S. Ferguson, Stephen R. Gibbs, Jeffrey M. Hollenback, JCO Properties, LLC, Gilbert R. Johnston, Judith A. Johnston, Michael Allen McCracken, Rachelle Amber McCracken, News Development, LLC, Scott Shone, Eric W. Smart, Stephanie Nicole Smart, Brenda J. Smith, Donald Smith, Sean Justin Smith, Gerald B. Woodahl, Susan A. Woodahl
Service Method: eService

Jeffrey R. Kuchel (Attorney)

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Representing: First American Title Company of Montana, Inc.
Service Method: eService

Michael S. Dockery (Attorney)

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Representing: First American Title Company of Montana, Inc.
Service Method: Conventional

Electronically signed by Rose Dumont on behalf of Jeffrey M. Roth
Dated: 01-26-2023