

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. DA 23-0126

**WAYNE W. FIBKE, SPIRITS FLORIDA, INC., JIM EDWARDS, and J.E. REAL
ESTATE HOLDING, INC.**

Plaintiffs/Appellants,

vs.

**KIP K HOLDING COMPANY, LLC, d/b/a PRECIOUS VODKA, a/k/a
PRECIOUS VODKA SPIRITS, a Montana limited liability company; CLIFFORD
“KIP” KIMERLY, and JOHN DOES I-V,**

Defendants/Appellees.

On Appeal from the Montana Fourth Judicial District Court
Missoula County, Cause No. DV-2017-951
Before Hon. Leslie Halligan

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE APPELLEES’
ANSWER BRIEF**

APPEARANCES:

Gregory A. McDonnell
Orr McDonnell Law, PLLC
627 Woody Street
Missoula, MT 59802
406-543-0999
greg@omlmt.com
katie@omlmt.com

Tim. E. Dailey
Michael P. Sherwood
Milodragovich, Dale & Steinbrenner, P.C.
620 High Park Way
PO Box 4947
Missoula, MT 59806-4947
406-728-1455
tdailey@bigskylawyers.com
msherwood@bigskylawyers.com

Attorneys for Defendants/Appellees

Attorneys for Plaintiffs/Appellants

COME NOW the Defendants/Appellees Kip K Holding Company, LLC, d/b/a Precious Vodka, a/k/a Precious Vodka Spirits, by and through their counsel of record, Gregory A. McDonnell of Orr McDonnell Law, PLLC, and respectfully move this Court, pursuant to Rule 26(1), M.R.App.P., for a two-week extension from the current deadline of August 16, 2023 in which to file their Answer Brief. Opposing counsel has been contacted and does not oppose this Motion.

DATED this 14th day of August 2023.

ORR McDONNELL LAW, PLLC

/s/ Gregory A. McDonnell

By:

Gregory A. McDonnell
Attorney for Defendants/Appellees

CERTIFICATE OF SERVICE

I, Gregory A. McDonnell, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 08-14-2023:

Michael Patrick Sherwood (Attorney)

620 High Park Way

PO Box 4947

Missoula MT 59806-4947

Representing: Jim Edwards, Wayne W Fibke, J.E. Real Estate Holding, Inc., Spirits Florida, Inc.

Service Method: eService

Timothy Edward Dailey (Attorney)

620 High Park Way

Missoula MT 59803

Representing: Jim Edwards, Wayne W Fibke, J.E. Real Estate Holding, Inc., Spirits Florida, Inc.

Service Method: eService

Electronically signed by Katie Lilje on behalf of Gregory A. McDonnell

Dated: 08-14-2023