

IN THE SUPREME COURT OF THE STATE OF MONTANA  
OP 23-0592

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MONTANA QUALITY EDUCATION COALITION,

Petitioner,

v.

BEAVERHEAD COUNTY, BIG HORN COUNTY, BLAINE COUNTY,  
BROADWATER COUNTY, CARBON COUNTY, CARTER COUNTY,  
CASCADE COUNTY, CHOUTEAU COUNTY, CUSTER COUNTY,  
DANIELS COUNTY, DAWSON COUNTY, DEER LODGE  
COUNTY, FALLON COUNTY, FERGUS COUNTY, FLATHEAD COUNTY,  
GALLATIN COUNTY, GARFIELD COUNTY, GLACIER COUNTY,  
GOLDEN VALLEY COUNTY, GRANITE COUNTY, HILL COUNTY,  
JEFFERSON COUNTY, JUDITH BASIN COUNTY, LAKE COUNTY, LEWIS  
AND CLARK COUNTY, LIBERTY COUNTY, LINCOLN COUNTY,  
MADISON COUNTY, MCCONE COUNTY, MEAGHER COUNTY,  
MINERAL COUNTY, MISSOULA COUNTY, MUSSELSHELL COUNTY,  
PARK COUNTY, PETROLEUM COUNTY, PHILLIPS COUNTY, PONDERA  
COUNTY, POWDER RIVER COUNTY, POWELL COUNTY, PRAIRIE  
COUNTY, RAVALLI COUNTY, RICHLAND COUNTY, ROOSEVELT  
COUNTY, ROSEBUD COUNTY, SANDERS COUNTY, SHERIDAN  
COUNTY, SILVER BOW COUNTY, STILLWATER COUNTY, SWEET  
GRASS COUNTY, TETON COUNTY, TOOLE COUNTY, TREASURE  
COUNTY, VALLEY COUNTY, WHEATLAND COUNTY, WIBAUX  
COUNTY, AND YELLOWSTONE COUNTY,

Respondents.

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**MOTION FOR EXTENSION OF TIME**

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APPEARANCES:

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*Attorneys for Respondents*

The Montana Association of Counties (“MACo”), on behalf of Respondent Counties, pursuant to Mont. R. App. P. 26(1), moves for a 30-day extension of the time to file a summary response to this Petition filed by the Montana Quality Education Coalition (“MQEC”), to permit time for the parties and the Court to consider the impact of related litigation on this matter. Respondents’ response is currently due on November 13, 2023.<sup>1</sup> Respondents request the deadline for response be extended to December 13, 2023.

On October 26, 2023, MACo and two individual County Commissioners and taxpayers filed an original action, *Montana Association of Counties, et al. vs. State and Montana Dep’t of Rev.*, Docket No. OP 23-0635, raising issues related to the issues in this matter. On October 27, 2023, this Court ordered the State of Montana and the Montana Department of Revenue, to respond to the Petition by today, November 6, 2023. Respondents, therefore, request the deadline for the response to the MQEC’s Petition in this matter be extended to allow time to determine if this Court will accept jurisdiction over MACo’s Petition in Docket NO. OP 23-0635 and issue a declaratory judgment which will have an impact on the determination of this matter.

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<sup>1</sup> Pursuant to Mont. R. App. P. 3, the deadline for the summary response was extended from November 10 to November 13 because November 10, 2023, is a state holiday for Veteran’s Day.

This is Respondents' first motion for a 30-day extension. Counsel for MQEC has been contacted regarding this Motion and has no objection to Respondents' request for extension. A proposed order is attached.

DATED this 6th day of November, 2023.

By: /s/ Michael Green  
Michael Green  
Anne M. Lewis  
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## **CERTIFICATE OF SERVICE**

I, Michael W. Green, hereby certify that I have served true and accurate copies of the foregoing Motion - Extension of Time to the following on 11-06-2023:

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Electronically signed by Regina Mercado on behalf of Michael W. Green  
Dated: 11-06-2023