

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court No. OP 23-0592

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.

STIPULATION FOR DISMISSAL WITHOUT PREJUDICE

APPEARANCES:

Elizabeth A. Kaleva
Elizabeth A. O'Halloran
Kevin A. Twidwell
KALEVA LAW OFFICES
1911 S. Higgins Ave.
P.O. Box 9312
Missoula, MT 59807
Telephone: (406) 542-1300
eakaleva@kalevalaw.com
bohalloran@kalevalaw.com
ktwidwell@kalevalaw.com
Attorneys for Petitioner

Cory Swanson
Broadwater County Attorney
Broadwater County Courthouse
515 Broadway
Townsend, MT 59644
Phone: (406) 266-9226
cswanson@co.broadwater.mt.us
Attorney for Broadwater County

Michael Green
Anne Lewis
Crowley Fleck, PLLP
900 North Last Chance Gulch, Suite 200
Helena, MT 50601
Telephone: (406) 449-4165
mgreen@crowleyfleck.com
alewis@crowleyfleck.com
Attorneys for Remaining County Respondents

Come now, Petitioner Montana Quality Education Coalition and the remaining Respondent Counties, by and through their respective counsel of record and hereby stipulate to dismissal of the above-captioned proceeding based on this Court's ruling in *Montana Association of Counties, et al. vs. State and Montana Dep't of Rev.*, Docket No. OP 23-0635, which addressed the relief sought by MQEC in this proceeding. The following parties have already been voluntarily dismissed by the Petitioner from this case:

- Deer Lodge County
- Meagher County
- Teton County
- Tool County
- Glacier County

Petitioner and the remaining County Respondents jointly request an Order Dismissing MQEC's Petition for Writ of Mandate without prejudice, with each party bearing its own fees and costs.

STIPULATED AND DATED this 21st day of December, 2023.

By: /s/ Elizabeth A. Kaleva
Elizabeth A. Kaleva
KALEVA LAW OFFICES
Attorneys for Petitioner

By: /s/ Cory J. Swanson
Cory J. Swanson
Broadwater County Attorney
Attorneys for Broadwater County

By: /s/ Michael Green
Michael Green
Anne M. Lewis
CROWLEY FLECK PLLP
*Attorneys for Remaining County
Respondents*

CERTIFICATE OF SERVICE

I, Elizabeth A. Kaleva, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 12-21-2023:

Elizabeth O'Halloran (Attorney)
1911 S. Higgins
Missoula MT 59801
Representing: Montana Quality Education Coalition
Service Method: eService

Kevin A. Twidwell (Attorney)
1911 South Higgins Ave
PO Box 9312
Missoula MT 59807
Representing: Montana Quality Education Coalition
Service Method: eService

Debra Ann Jackson (Govt Attorney)
300 River St
Superior MT 59872
Representing: Mineral County
Service Method: eService

Michael W. Green (Attorney)
900 North Last Chance Gulch, Suite 200
Helena MT 59601
Representing: Beaverhead County, Big Horn County, Blaine County, Broadwater County, Carbon County, Carter County, Cascade County, Chouteau County, Custer County, Daniels County, Dawson County, Fallon County, Fergus County, Flathead County, Gallatin County, Garfield 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, 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, Treasure County, Valley County, Wheatland County, Wibaux County, Yellowstone County
Service Method: eService

Cory J. Swanson (Govt Attorney)
515 Broadway

Townsend MT 59644
Service Method: eService
E-mail Address: cswanson@co.broadwater.mt.us

Electronically signed by Kimberly Witt on behalf of Elizabeth A. Kaleva
Dated: 12-21-2023