

**IN THE SUPREME COURT OF THE STATE OF MONTANA  
CASE NO. DA 23-0702**

Gary O. Stewart,

Appellee/Petitioner,

vs.

Kyle Grimsrud,

Appellant/Respondent.

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**UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE OPENING BRIEF**

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On Appeal from the Montana Tenth Judicial District Court, Fergus County, Docket  
No. DR 2023-14, the Honorable Heather Perry, Presiding

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**APPEARANCES:**

Tyler L. West  
West Law Firm, P.C.  
301 N. 27<sup>th</sup> Street, Ste. 100  
Billings, MT 59101  
*Attorney for Appellee/Petitioner,  
Gary O. Stewart*

Mark D. Parker  
Michael L. Dunphy  
Parker, Heitz & Cosgrove, PLLC  
401 N. 31<sup>st</sup> Street, Suite 1600  
PO Box 7212  
Billings, MT 59103  
*Attorney for Appellant/Respondent,  
Kyle Grimsrud*

COMES NOW Appellant/Respondent, by and through counsel of record,  
and respectfully requests an order from the Court, under Rule 26(1), Mont. R. App.

P., extending the deadline for Appellant to file his opening brief by 30-days, from the current deadline of January 10, 2024, to February 9, 2024.

Attorney Tyler L. West, on behalf of the Appellee/Petitioner, has been contacted and has no objection to this requested relief.

DATED this 8th day January, 2024.

/s/ Mark D. Parker  
Mark D. Parker  
Michael L. Dunphy  
*Attorneys for Appellant/Respondent*

### **CERTIFICATE OF SERVICE**

I hereby certify that I have served true and accurate copies of the foregoing document upon each attorney of record as follows:

Tyler L. West  
West Law Firm, P.C.  
301 N. 27<sup>th</sup> St., Ste. 100  
Billings, MT 59101

DATED this 8th day of January, 2024.

/s/ Larissa Sikel  
PARKER, HEITZ & COSGROVE, PLLC

## **CERTIFICATE OF SERVICE**

I, Mark D. Parker, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 01-08-2024:

Michael L. Dunphy (Attorney)  
401 No. 31st Street  
P.O. Box 7212  
Billings MT 59103  
Representing: Kyle Grimsrud  
Service Method: eService

Tyler L. West (Attorney)  
301 N. 27th St., Ste. 100  
Billings MT 59101  
Representing: Gary O. Stewart  
Service Method: eService

Electronically signed by Larissa Sikel on behalf of Mark D. Parker  
Dated: 01-08-2024