

1 Michelle T. Friend
2 HEDGER FRIEND, PLLC
3 2800 Central Avenue, Suite C
4 Billings, Montana 59102
5 (406) 896-4100 (Phone)
6 (406) 896-4199 (Fax)
7 mfriend@hedgerlaw.com

8 *Attorneys for Respondents/Appellees Montana Rail Link, Inc. and BNSF Railway Company*

9 **IN THE SUPREME COURT OF THE STATE OF MONTANA**
10 **Supreme Court Cause No. 23-0569**

11 SAMUEL J. NELSON, individually and as)
12 Trustee of the SAMUEL J. NELSON)
13 REVOCABLE TRUST DATED FEBRUARY)
14 11, 2011,)

15)
16) **Petitioners/Appellants,**)

17 vs.)

18 MONTANA RAIL LINK, INC., a Montana)
19 Corporation, and BNSF RAILWAY)
20 COMPANY, a Delaware Corporation.)

21)
22) **Respondents/Appellees.**)
23)
24)
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26)
27)
28)

**APPELLEES UNOPPOSED MOTION
FOR A THIRTY DAY EXTENSION TO
FILE RESPONSE BRIEF**

29 COMES NOW Appellees BNSF Railway Company (“BNSF”) and Montana Rail
30 Link, Inc. (“MRL”) and files this Unopposed Motion for Extension of Time to File its
31 Response Brief, pursuant to Rule 26(1), M.R.App.P. Appellees request a 30-day extension,
32 from January 21, 2024, to February 20, 2024, in which to file its response brief. This is
33 Appellees first request for an extension in this matter. Counsel for Appellant has been
34 contacted and has no objection to said request.

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DATED this 8th day of January, 2024.

HEDGER FRIEND, PLLC

By: Michelle T. Friend
Michelle T. Friend
Attorneys for MRL and BNSF

CERTIFICATE OF SERVICE

I do hereby certify that I have served a true and correct copy of the foregoing upon individual(s) listed below by the following means:

Alanah Griffith
Griffin & Cummings, P.C.
P.O. Box 160748
Big Sky, MT 59716
Alanah@BigSkyMTlaw.com

- U.S. Mail
- E Mail
- Facsimile
- Express Mail
- MT E-Filing

DATE: 01/08/2024

Kelly Verhasset

CERTIFICATE OF SERVICE

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

Alanah Noel Griffith (Attorney)

P.O. Box 160748

Big Sky MT 59716

Representing: Samuel J. Nelson, Samuel J. Nelson Revocable Trust Dated February 9,

Service Method: eService

Michelle T. Friend (Attorney)

2800 Central Avenue, Suite C

Billings MT 59102

Service Method: eService

E-mail Address: mfriender@hedgerlaw.com

Benjamin O. Rechtfertig (Attorney)

2800 Central Avenue, Suite C

Billings MT 59102

Service Method: eService

E-mail Address: brechtfertig@hedgerlaw.com

Electronically signed by Kelly Verhasselt on behalf of Michelle T. Friend

Dated: 01-08-2024