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Attorney for Miriam Penado Appellant

## IN THE SUPREME COURT OF THE STATE OF MONTANA

MIRIAM PENADO

Petitioner and Appellant,

On behalf of Herself and A.A.H., born 2018 and  
A.M.H., born 2020,

v.

DANIEL HUNTER,

Respondent and Appellee.

Cause No. DA-23-0692

**MOTION FOR EXTENSION OF TIME  
ON DUE DATE FOR OPENING BRIEF**

COMES NOW, MIRIAM PENADO, by and through his attorney Kevin E. Vainio, and  
hereby requests the Court extend the due date for the opening brief for an additional fourteen  
(14) days. Counsel for the Petitioner has had several scheduling conflicts and has been out of  
town for court.

The office of Respondent's counsel emailed opposing counsel Mr. Bowen concerning this  
Motion Respondent's Counsel Mr. Bowen does oppose this Motion.

Dated this 28<sup>th</sup> day of February 2024/s/ Kevin E. VainioKevin E. Vainio,  
27 West Park Street  
Butte, Montana 59701

Attorney for Plaintiff / Appellant

**CERTIFICATE OF SERVICE**

I hereby certify that I have filed a true and accurate copy of the foregoing MOTION FOR EXTENSION OF TIME with the Clerk of the Montana Supreme Court and that I have served true and accurate copies, and each party not represented by an attorney in the above-referenced District Court action as follows:

Charles P. Bowen, ESQ.  
1700 West Koch, Suite 3  
Bozeman, MT 59715  
cbowen@cbowenmt.net

/s/ Sara Wellsted  
Sara Wellsted,  
Paralegal to,  
Kevin E. Vainio,  
27 West Park Street  
Butte, Montana 59701  
Attorney for Plaintiff / Appellant

## **CERTIFICATE OF SERVICE**

I, Kevin E. Vainio, hereby certify that I have served true and accurate copies of the foregoing Motion - Opposed to the following on 02-28-2024:

Charles P. Bowen (Attorney)  
1700 W. Koch St. Ste 3  
Bozeman MT 59715  
Representing: Daniel Hunter  
Service Method: eService

Electronically Signed By: Kevin E. Vainio  
Dated: 02-28-2024