

IN THE SUPREME COURT OF THE STATE OF MONTANA
No. DA 23-0575

RIKKI HELD, et al.,

Plaintiffs / Appellees

v.

STATE OF MONTANA, et al.,

Defendants / Appellants

**PLAINTIFFS'/APPELLEES' UNOPPOSED MOTION FOR LEAVE TO
FILE OVERLENGTH ANSWER BRIEF**

On Appeal from the Montana First Judicial District Court, Lewis and Clark
County, Cause No. CDV 2020-307, the Honorable Kathy Seeley, Presiding

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Pursuant to M. R. Civ. P. 12(10), Plaintiffs/Appellees move the Court, in response to the two separate opening briefs filed by Defendants/Appellants with a combined word count of 17,813, for leave to file a single overlength answer brief not to exceed 17,500 words. The undersigned counsel has contacted counsel for Defendants/Appellants, and they do not object to the motion.

The reasons this motion should be granted are documented in the declaration of counsel filed herewith. To summarize, an expanded word limit is warranted because: (1) in the interest of judicial efficiency Appellees are filing a combined Answer brief to the two Opening briefs filed by Appellants (rather than two separate Answer briefs); (2) this case presents constitutional matters of statewide importance which require detailed analysis; and (3) there is an extensive factual record before this Court requiring appropriate discussion.

As described in the accompanying declaration, an expansion of the 10,000-word limit afforded by M. R. App. P. 11(4)(a) is necessary to adequately address Appellants' arguments and the range of constitutional issues and questions presented here which are of crucial environmental, economic, and social import. For these reasons and those stated in the accompanying declaration, Appellees respectfully request that this motion be granted. A proposed order granting this motion is filed herewith.

//

RESPECTFULLY SUBMITTED this 7th day of March, 2024.

/s/ Roger Sullivan

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CERTIFICATE OF SERVICE

I, Roger M. Sullivan, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 03-07-2024:

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Dated: 03-07-2024