

IN THE SUPREME COURT OF THE STATE OF MONTANA
Cause No. DA 24-0039

MONTANANS AGAINST IRRESPONSIBLE DENSIFICATION, LLC,

Plaintiff and Appellee,

v.

STATE OF MONTANA,

Defendant and Appellant.

On Appeal from Montana Eighteenth Judicial District Court,
Gallatin County Cause No. DV-16-2023-1248,
Hon. Michael Salvagni, Presiding Judge

**BETTER BOZEMAN CAOALITION'S
UNOPPOSED MOTION FOR LEAVE TO
FILE BRIEF AS *AMICUS CURIAE* IN SUPPORT OF
PLAINTIFF/APPELEE**

[Appearances on next page.]

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Attorneys for Defendant and Appellant

I. INTEREST OF THE APPLICANT

The proposed *amicus curiae*, the Better Bozeman Coalition (henceforth the “BBC”) is a group of concerned citizens and residents of Bozeman who have organized to address the impact of growth on existing and future neighborhoods. Our mission is to preserve the unique character of Bozeman’s neighborhoods while working with the city on historic preservation, housing affordability, availability and natural resource sustainability.

The BBC believes that the challenges of growth can be met without destroying the things that make Bozeman unique. To do so requires local participation by local residents to affect policies adopted by local government that can affect their existing neighborhoods and allow for rational development of future areas of the city. The current legislation adopted by the legislature that is at issue in this case affects the right of BBC and its members to participate meaningfully in planning the future of their city, creates disparate classes without a rational basis, and effect their lives and quality of life.

II. REASONS WHY A BRIEF OF PROPOSED AMICUS IS DESIRABLE

The BBC is a large locally based organization with a broad cross-section of members from many professions, including attorneys, business executives, university professors, accountants, homeowners, apartment dwellers, and retirees

from all professions. Many members have lived in Bozeman all their lives and have direct experience with the effects of growth, and mismanaged growth, on the character of their community. All members of the BBC have a stake in the future of the City of Bozeman, as well as a stake in preserving their right to participate meaningfully in public discourse.

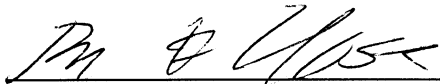
III. PARTY WHOSE POSITION PROPOSED AMICUS CURIAE WOULD SUPPORT

The proposed amicus curiae proposed to file their brief in support of the Plaintiff/Appellee, Montanans Against Irresponsible Densification, LLC. The proposed *amicus curiae* request that they be permitted to file their brief as *amicus curiae* on or before April 12, 2024.

IV. WHETHER OTHER PARTIES CONSENT TO THE REQUEST

The proposed *amicus curiae* confirm that they have contacted Counsel for the Appellants, who responded that they are not opposed,

Dated this 26th day of March, 2024.



Brian F. Close, Attorney for the
Better Bozeman Coalition

CERTIFICATE OF SERVICE

I, Brian F Close, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 03-26-2024:

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Electronically Signed By: Brian F Close
Dated: 03-26-2024