

**IN THE SUPREME COURT OF THE  
STATE OF MONTANA**

**SUPREME COURT CAUSE NO. DA 24-0176**

Megan S. Winderl  
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*Attorneys for Petitioner/Appellee Virginia Upchurch*

VIRGINIA E. UPCHURCH,  
  
Petitioner/Appellee,

vs.

JOHANNES C. UPCHURCH  
  
Respondent/Appellant.

**UNOPPOSED MOTION TO  
EXTEND DEADLINE TO FILE  
RESPONSE BRIEF**

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COMES NOW, the Appellee, by and through her counsel, and pursuant to Rule 26(1) M.R.App.P. respectfully requests the deadline to file her response brief (currently due June 14, 2024) be extended for a period of thirty (30) days from the current deadline (to and including July 14, 2024). The basis of this request is the undersigned moved firms on May 27, 2024 and the logistical components of the

move have consumed more time than anticipated. Appellee has made no other requests for extensions.

Counsel for the Appellant has been contacted and advises this motion is unopposed.

A signed Stipulation to Substitute Counsel will be filed shortly.

DATED this 12<sup>th</sup> day of June, 2024.

CHOUINARD & WINDERL, P.C.

By: /s/ Megan S. Winderl  
Megan S. Winderl  
Attorneys for Petitioner/Appellee Virginia E. Upchurch

## **CERTIFICATE OF SERVICE**

I, Megan S. Winderl, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 06-12-2024:

William Lower (Attorney)  
201 W. Main St., Ste. 201  
Missoula MT 59802  
Representing: Johannes C. Upchurch  
Service Method: eService

Electronically Signed By: Megan S. Winderl  
Dated: 06-12-2024