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IN THE SUPREME COURT OF THE STATE OF MONTANA

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In re the marriage of:

MITCHELL BURGARD.

Appellee/Petitioner.

-vs-

STACY JACOBSEN.

Appellant/Respondent.

Cause No. DA 24-0321

**UNSWORN DECLARATION IN  
SUPPORT OF MOTION FOR  
EXTENSION**

1. I am the legal counsel of record for Appellant, Stacy Jacobsen.
2. I have filed a second motion for an extension of time within which to file the Appellant's opening brief in this case.
3. The parties to this case agreed to postpone the briefing schedule to allow them time to mediate the case in accordance with Rule 7(2)(b) of the Montana Rules of Appellate Procedure.
4. Appellant's brief was to be due on August 20, 2024.
5. Appellant's Counsel became ill and was in the ER for treatment, which necessitated postponing the mediation in this case.
6. Mediation was originally scheduled for July 25, 2024. It has now been postponed to August 27, 2024.

7. The Appellant has exercised diligence and has substantial need for this extension.
8. The Appellee has been contacted concerning this motion; however, he was not available for comment at the time of filing.
9. Pursuant to Mont. Code Ann. § 1-6-105, I declare under penalty of perjury and the laws of the state of Montana that the foregoing is true and correct. As allowed by statute, this unsworn written declaration may be used to support, evidence, establish, or prove any matter in the same manner as a sworn written declaration. I acknowledge that a deliberate falsification in this declaration constitutes the offence of perjury as provided in Mont. Code Ann. § 45-7-202.

DATED this 29th day of July, 2024

A&M LAW

By /s/ Misty D. Gaubatz  
Misty D. Gaubatz  
Attorney for Appellant/Respondent