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*Attorneys for Wesley and Karen Tuscano*

**IN THE SUPREME COURT OF THE STATE OF MONTANA  
No. DA 23-0656**

**WESLEY and KAREN TUSCANO,**

Appellants, Defendants,  
and Counter-Plaintiffs,

v.

**SIDNEY and JULIAN HELVIK,**

Appellees, Plaintiffs,  
and Counter-Defendants,

**M.R.APP.P. 9(4) F MOTION FOR  
AN EXTENSION OF TIME TO  
TRANSMIT THE TRANSCRIPTS**

**WESLEY and KAREN TUSCANO,**

Appellants, Third-Party  
Plaintiffs

v.

**JACQUELINE CONNER,**

Appellee, Third-Party  
Defendant.

COME NOW, Appellants Wesley and Karen Tuscano (“Tuscanos”) by and through their attorneys of record, the undersigned, and hereby respectfully request

pursuant to M.R.App.P. Rules 9(4) and 26(2) that the Court grant the Court Reporter an additional thirty (30) days until November 24, 2024, in which to file the transcripts from the District Court proceeding. Pursuant to M.R.App.P. Rule 9(4), Appellants have attached Robin Lee's affidavit.

Lund Law has emailed Counsel for Appellee Jacqueline Conner and they did not respond. Lund Law also emailed Counsel for Appellees, Sidney and Julian Helvik, and they did not respond. A proposed Order is attached for the Court's convenience.

DATED this 22<sup>nd</sup> day of October, 2024.

Lund Law PLLC

/s/ **Hertha L. Lund**  
Hertha L. Lund  
*Attorney for Tuscanos*

1 Robin Lee  
Official Court Reporter  
2 Sixth Judicial District  
Park/Sweet Grass County  
3 Robin.lee@mt.gov  
406-222-4132

4  
5 IN THE SUPREME COURT THE STATE OF MONTANA  
6

6 WESLEY AND KAREN TUSCANO, )  
7 )  
Appellants, )

8 vs. ) Supreme Court No. DA 23-0656  
9 ) District Court No. DR-49-2021-39

9 SIDNEY AND JULIAN HELVIK, )  
10 )  
Appellees, )

11 WESLEY AND KAREN TUSCANOS,) )  
12 )  
Appellants, )

13 vs. )

14 JACQUELINE CONNER, )  
15 )  
Appellee. )

16  
17 **AFFIDAVIT OF CORRECTION OF OFFICIAL COURT REPORTER, ROBIN LEE.**

18 STATE OF MONTANA )  
19 : ss  
20 COUNTY OF SWEET GRASS )

21  
22 **COMES NOW, the Affiant, ROBIN LEE, and states under oath as follows:**

- 23 1. I am the Official Court Reporter for the Sixth Judicial District, Park and  
24 Sweet Grass Counties.  
25  
26 2. I was the Official Court Reporter in the above-stated cause number.  
27  
28

- 1 3. I have been subpoenaed by the State of California, Riverside County,  
2 District Attorney's Office to testify at a trial homicide trial.  
3  
4 4. Yesterday late afternoon, I was informed by the District Attorney's  
5 Office that the trial has started, and testimony is beginning; therefore, I  
6 will be leaving Montana tomorrow and flying to California.  
7  
8 5. I am respectfully requesting an additional thirty days to complete the  
9 transcripts on appeal in the above-stated cause number.  
10

11  
12 Dated: October 22, 2024  
13

14  
15 /s/ Robin Lee  
16 Official Court Reporter  
17 State of Montana  
18 Sixth Judicial District  
19 Park and Sweet Grass Counties  
20  
21  
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26  
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## CERTIFICATE OF SERVICE

I, Hertha Louise Lund, hereby certify that I have served true and accurate copies of the foregoing Motion - Extension of Time to the following on 10-22-2024:

Michael Francis McGuinness (Attorney)  
2817 2nd Avenue North Suite 300  
Billings MT 59101  
Representing: Jacqueline Conner  
Service Method: eService

Justin Oliveira (Attorney)  
2817 2nd Ave. N, Ste. 300  
Billings MT 59101  
Representing: Jacqueline Conner  
Service Method: eService

Barbara C. Harris (Attorney)  
616 Helena Avenue  
Suite 100  
Helena MT 59601  
Representing: Julian Helvik, Sidney Helvik  
Service Method: eService

Peter B. Taylor (Attorney)  
662 S. Ferguson Ave, Unit 2  
Bozeman MT 59718  
Representing: Karen Tuscano, Wesley Tuscano  
Service Method: eService

Electronically signed by Genevieve Martin on behalf of Hertha Louise Lund  
Dated: 10-22-2024