

IN THE SUPREME COURT OF THE STATE OF MONTANA
No. DA 24-0369

PARKER NOLAND,

Appellant,

v.

STATE OF MONTANA, et al.,

Appellees,

EVERGREEN DISPOSAL, INC.,

Appellee-Intervenor.

APPELLANT’S UNOPPOSED MOTION FOR EXTENSION

Appeal from the Montana Eleventh District Court, Flathead County
No. DV-15-2022-0001308-CR, Honorable Judge Amy Eddy

APPEARANCES:*

ETHAN W. BLEVINS
Montana Bar No. 37415893
Pacific Legal Foundation
839 W 3600 S
Bountiful, UT 84010-8423
Telephone: (916) 288-1392
eblevins@pacificallegal.org

JACK E. BROWN**
Montana Bar No. P68806792
Pacific Legal Foundation
3100 Clarendon Boulevard, Ste. 1000
Arlington, VA 22201
Telephone: (202) 888-6881
jbrown@pacificallegal.org

AUSTIN KNUDSEN
Montana Attorney General
MICHAEL RUSSELL
ALWYN LANSING
THANE JOHNSON
Assistant Attorney General
Montana Department of Justice
P.O. Box 201401
Helena, MT 59620-1401
Michael.Russell@mt.gov
Alwyn.Lansing@mt.gov
Thane.Johnson@mt.gov

* Additional counsel continued on inside cover

GLENN E. ROPER**
Montana Bar No. P68806825
Pacific Legal Foundation
1745 Shea Center Dr., Ste. 400
Highlands Ranch, CO 80129
Telephone: (916) 419-7111
geroper@pacificlegal.org
Counsel for Plaintiff Parker Noland

**Pro Hac Vice

EMILY JONES
Special Assistant Attorney General
JONES LAW FIRM, PLLC
115 N. Broadway, Ste. 410
Billings, MT 59101
Phone: 406-384-7990
emily@joneslawmt.com
Counsel for Appellees

Jacqueline R. Papez
Jack G. Connors
DONEY CROWLEY P.C.
P.O. Box 1185
Helena, MT 59624-1185
jpapez@doneylaw.com
jconnors@doneylaw.com
*Counsel for Appellee-Intervenor
Evergreen Disposal, Inc.*

Appellant Parker Noland, pursuant to Rule 26(2), Montana Rules of Appellate Procedure, requests an extension of time within which to file his Reply Brief to Appellees' and Appellee-Intervenor's Response Briefs. Appellees filed their Response Brief on November 18. The Court has granted Appellee/Intervenor an extension for its Response Brief to December 18, 2024. Thus, Appellant's reply deadlines for Appellees' and Appellee-Intervenor's Response Briefs are currently on different dates, December 2, 2024, and January 2, 2025, respectively. In addition, due to upcoming travel plans and the demands of other cases, the undersigned does not have appropriate time to adequately prepare the reply brief by January 2, 2025.

Therefore, Appellant Parker Noland requests that the time to file his combined reply to Appellees and Appellee/Intervenor be extended to January 31, 2025. The Affidavit required by Rule 26(2), M. R. App. P., is filed contemporaneously herewith.

The undersigned has conferred with all counsel representing Appellees and Appellee/Intervenor to this appeal and this Motion is unopposed.

DATED: November 22, 2024.

Respectfully submitted,

GLENN E. ROPER*
Montana Bar No. P68806825
Pacific Legal Foundation
1745 Shea Center Dr., Suite 400
Highlands Ranch, CO 80129
Telephone: (916) 419-7111
geroper@pacificlegal.org

/s/ Ethan W. Blevins
ETHAN W. BLEVINS
Montana Bar No. 37415893
Pacific Legal Foundation
839 W 3600 S
Bountiful, UT 84010-8423
Telephone: (916) 288-1392
eblevins@pacificlegalfoundation.org

JACK E. BROWN*
Montana Bar No. P68806792
Pacific Legal Foundation
3100 Clarendon Boulevard, Suite
1000
Arlington, VA 22201
Telephone: (202) 888-6881
jbrown@pacificlegal.org

Counsel for Plaintiff Parker Noland

**Pro Hac Vice*

CERTIFICATE OF SERVICE

I, Ethan Winfred Blevins, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 11-22-2024:

Thane P. Johnson (Govt Attorney)
215 N SANDERS ST
P.O. Box 201401
HELENA MT 59620-1401

Representing: James Brown, Jennifer Fielder, Montana Public Service Commission, Tony O'Donnell,
Randy Pinocci, State of Montana
Service Method: eService

Alwyn T. Lansing (Govt Attorney)
215 N. Sanders St.
Helena MT 59620

Representing: James Brown, Jennifer Fielder, Montana Public Service Commission, Tony O'Donnell,
Randy Pinocci, State of Montana
Service Method: eService

Michael D. Russell (Govt Attorney)
215 N Sanders
Helena MT 59620

Representing: James Brown, Jennifer Fielder, Montana Public Service Commission, Tony O'Donnell,
Randy Pinocci, State of Montana
Service Method: eService

Emily Jones (Attorney)
115 North Broadway
Suite 410
Billings MT 59101

Representing: James Brown, Jennifer Fielder, Montana Public Service Commission, Tony O'Donnell,
Randy Pinocci, State of Montana
Service Method: eService

Austin Miles Knudsen (Govt Attorney)
215 N. Sanders
Helena MT 59620

Representing: James Brown, Jennifer Fielder, Montana Public Service Commission, Tony O'Donnell,
Randy Pinocci, State of Montana
Service Method: eService

Jacqueline Racquel Papez (Attorney)
P.O. Box 1185
Helena MT 59624
Representing: Evergreen Disposal, Inc.
Service Method: eService

Jack Connors (Attorney)
P.O. Box 1185
Helena MT 59624
Representing: Evergreen Disposal, Inc.
Service Method: eService

Jack Emerson Brown (Attorney)
3100 Clarendon Blvd., Suite 1000
Arlington VA 22201
Representing: Parker Noland
Service Method: eService

Glenn E. Roper (Attorney)
1745 Shea Center Dr.
Ste. 400
Highlands Ranch CO 80129
Representing: Parker Noland
Service Method: eService

James Robert Zadick (Attorney)
P.O. Box 1746
#2 Railroad Square, Suite B
Great Falls MT 59403
Representing: Montana Solid Waste Contractors, Inc.
Service Method: eService

Walter D Clapp (Attorney)
5 Pepsi Drive, Suite 107
Box 2043
Red Lodge MT 59068
Representing: Goldwater Institute
Service Method: eService

Matthew G. Monforton (Attorney)
32 Kelly Court
Bozeman MT 59718
Representing: Cato Institute, Mountain States Legal Foundation
Service Method: eService

Electronically Signed By: Ethan Winfred Blevins
Dated: 11-22-2024