

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. DA 24-0408

HEIDI A. GABERT

Plaintiff/Appellee,

and

DAWN FREEMAN

Intervenor/Appellee

v.

GARRY DOUGLAS SEAMAN,

Defendant/Appellant.

On Appeal from the Montana Nineteenth Judicial District Court
Cause No. DV-22-95
Hon. Shane Vannatta, Presiding

**APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE OPENING BRIEF [SECOND EXTENSION]**

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Comes now Appellant Garry Seaman, through counsel, and under Rule 26 of the Montana Rules of Appellate Procedure, moves the Court for a 30-day extension of time up to and including January 20, 2025 to file his opening brief. The opening brief is currently due December 20, 2024. An affidavit is filed with this motion as required under Mont. R. App. P. 26. Counsel for Appellees have been contacted and do not object to this motion. This is Mr. Seaman's second request for an extension.

DATED: December 12, 2024.

WORDEN THANE P.C.
Attorneys for Defendant/Appellant

/s/Dillon Kato
Dillon Kato

DECLARATION

I, Dillon Kato, in compliance with Mont. R. App. P. 26(2) and under Mont. Code Ann. § 1-6-105, declare:

1. I am a licensed, practicing attorney in the State of Montana, and am employed as an associate attorney at the law firm Worden Thane P.C.

2. I am assisting in this appeal on behalf of Appellant Garry Seaman.

3. Appellant's Opening Brief was originally due November 20, 2024. On November 13, 2024, Appellant was granted his first request for an extension, and his Opening Brief is currently due December 20, 2024.

4. I am requesting an additional 30 days, until January 20, 2025, to complete and file the Opening Brief. This is the Appellant's second motion for extension of time.

5. I am in substantial need of an extension. Due to my current workload, I will be unable to finalize the Appellant's brief by the current deadline. In particular, since the first extension was granted, I have needed to spend a significant amount of time drafting a brief related to a show cause order in a matter pending in the United States District Court for the District of New Jersey, a motion to compel discovery for another matter in the Ravalli County District Court, and to attend a number of hearings for a Missoula-based client. Each of these time-sensitive issues has arisen since the previous extension.

6. While working on these other projects, I have been reviewing the record and transcript, researching relevant law, and starting to draft the Opening Brief. I will continue to work diligently on this appeal, and the Opening Brief will be completed in the time requested, if not before.

7. Counsel for Appellee Heidi Gabert and counsel for Appellee Dawn Freeman have been contacted about this request and do not oppose.

8. I declare under penalty of perjury that the foregoing is true and correct.

DATED: December 12, 2024.


Dillon Kato

CERTIFICATE OF SERVICE

I, Dillon M. Kato, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 12-12-2024:

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Electronically signed by Christina DiMuro on behalf of Dillon M. Kato
Dated: 12-12-2024