

IN THE SUPREME COURT OF THE STATE OF MONTANA

Cause No. DA 24-0422

STEVEN CORRY STEPHENSON;

Plaintiff/Appellant,

v.

LONE PEAK PRESERVE, LLC,

Defendant/Appellee.

**APPELLEE'S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE RESPONSE BRIEF**

On Appeal from the Montana Eighteenth Judicial Court, Gallatin County,
Cause No.: DV-21-1297C
Honorable John C. Brown

Attorneys for Plaintiff/Appellant

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Appellee Lone Peak Preserve, LLC moves this Court for a second extension of time to file the response brief in this appeal. Mont. R. App. P. 26(2). Appellee’s response brief was first due on December 2, 2024. Appellee was granted a 30-day extension to file its opening brief on November 25, 2024. Appellee’s response brief is currently January 2, 2025. Appellee respectfully requests a 30-day extension to file and serve its brief on or before February 3, 2025. Pursuant to Mont. R. App. P. 26(2), this request is supported by the attached Declaration of Kelsey Bunkers.

The undersigned is working diligently on this matter. The requested extension is necessary to allow this case to be fully and fairly presented to this Court. While the issue that will be before this Court is straightforward, this case does address an area of law—appeals from orders granting preliminary injunction—that is evolving. For these reasons, the undersigned has a substantial need for the requested extension.

Appellant’s counsel has been contacted and does not oppose this motion.

Dated this 19th day of December, 2024.

CROWLEY FLECK PLLP

By: /s/Kelsey Bunkers
Kelsey Bunkers

Attorneys for Appellees

Declaration of Kelsey Bunkers

1. I am an attorney for Lone Peak Preserve, LLC. I have primary responsibility to draft the response brief in this matter.

2. The response brief is currently due January 2, 2025.

3. The original deadline for the response brief was December 2, 2024.

This deadline was extended by Order of this Court dated November 25, 2024, after Appellee moved for a 30-day extension pursuant to Mont. R. App. P. 26(1).

4. Pursuant to Mont. R. App. P. 26(2), Appellee moves this Court for an extension of 30 days, so that the response brief will be due February 3, 2025.

5. I have been working diligently on the response brief. This extension is necessary, however, in order to fully and fairly present this matter to the Court. Additionally, I have several other filings I am working on in other cases, including several responses to motions due in December and January. For these reasons, I have a substantial need for an extension.

6. Counsel for Appellant was contacted and does not oppose this motion.

Pursuant to § 1–6–105(1)(a), MCA, I declare under penalty of perjury that the foregoing is true and correct.

December 19, 2024
Bozeman, Montana

/s/Kelsey Bunkers
Kelsey Bunkers

CERTIFICATE OF SERVICE

I, Kelsey Evans Bunkers, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 12-19-2024:

Michael Lloyd Rabb (Attorney)
3950 Valley Commons Drive
Suite 1
Bozeman MT 59718
Representing: Steven Corry Stephenson
Service Method: eService

Electronically Signed By: Kelsey Evans Bunkers
Dated: 12-19-2024