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IN THE SUPREME COURT OF THE STATE OF MONTANA

ESTATE OF TERRY ATHY; ALEX ATHY,
INDIVIDUALLY; and as PERSONAL
REPRESENTATIVE OF THE ESTATE OF
TERRY ATHY,

Plaintiffs and Appellants,

vs.

EVI KALISPELL LLC; EDGEWOOD
KALISPELL SENIOR LIVING, LLC;
EDGEWOOD KALISPELL MEMORY CARE;
EDGEWOOD VISTA KALISPELL;
EDGEWOOD REIT, INC.; EDGEWOOD
OPERATIONS, INC.; EDGEWOOD OPCO,
LLC; EDGEWOOD HEALTHCARE;
EDGEWOOD PROPERTIES MANAGEMENT
LLC; EDGEWOOD PROPERTIES, L.L.C.;
EDGEWOOD PROPERTIES, LLLP;
EDGEWOOD REAL ESTATE INVESTMENT
TRUST,

Defendants and Appellees.

Cause No. DA 25-0265

**DEFENDANTS'/APPELLEES'
UNOPPOSED MOTION FOR
EXTENSION TO FILE RESPONSE
BRIEF (First Request)**

Pursuant to Rule 26(1), M.R.App.P., Appellees EVI Kalispell, LLC, et al hereby move the Court for a 30-day extension of time in which to file their Response Brief. Appellees Brief is currently due September 3, 2025, and Appellees respectfully request a 30-day extension to file and serve their Brief on or before October 3, 2025. This is Appellees' first motion for a 30-day

extension. Appellants' counsel has been contacted and does not oppose this Motion.

DATED this 13th day of August, 2025.

MOORE, COCKRELL,
GOICOECHEA & JOHNSON, P.C.



Sean Goicoechea

Katrina L. Feller

Attorneys for Defendants/Appellees

CERTIFICATE OF SERVICE

I, Katrina L. Feller, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 08-13-2025:

Darin Kirk Westover (Attorney)
165 Commons Loop, suite 3
Kalispell MT 59901
Representing: Alexander Tyrell Athy, Terry Jean Athy
Service Method: eService

Sean P. Goicoechea (Attorney)
PO Box 7370
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Representing: Edgewood Healthcare, Edgewood Kalispell Memory Care, Edgewood OPCO, LLC, Edgewood Operations, Inc., Edgewood Properties, LLLP, Edgewood Real Estate Investment Trust, Edgewood Real Estate Investment Trust, Inc., Evi Kalispell, LLC, Edgewood Kalispell Senior Living, LLC, Edgewood Vista Kalispell, Edgewood Properties, LLC
Service Method: eService

Electronically signed by Tina Kempff on behalf of Katrina L. Feller
Dated: 08-13-2025