

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Case No. DA 25-0543

PAUL THOMAS, an individual; THOMAS, INC., a Montana corporation; and TETON VILLAGE, L.L.C., a Montana limited liability company,

Plaintiffs/Counter-Defendants and Appellees,

v.

JAIMIE THOMAS, individually and as PERSONAL REPRESENTATIVE for the ESTATE OF SEAN EDWARD THOMAS; THOMAS ENT LLC, a Montana limited liability company; SHOPPELINA, LLC, a Delaware limited liability company; and John Does 1-10;

Defendants/Counter-Plaintiffs and Appellants.

JAIMIE THOMAS, individually and as PERSONAL REPRESENTATIVE for the ESTATE OF SEAN EDWARD THOMAS; THOMAS ENT LLC, a Montana limited liability company;

Third-Party Plaintiffs,

v.

VN CLOSET, LLC, d/b/a Victoria Nicole Closet, LLC, a Montana limited liability company,

Third-Party Defendants,

On appeal from the Montana Second Judicial District Court, Silver Bow County
Cause No. DV-2023-31, the Honorable Robert Whelan Presiding
Honorable Karen Townsend, Special Master

**APPELLEES’ UNOPPOSED MOTION TO CONTINUE
RULE 7(3)(a) DEADLINES**

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For Appellants

For Appellees

Plaintiffs/Appellees Paul Thomas, Thomas, Inc., Teton Village, L.L.C., and VN Closet, LLC (collectively “Paul”) move this Court to continue the Mont. R. App. P. 7(3)(a) deadlines. The Notice of Appeal in this case was filed on July 25, 2025. A Motion to Dismiss was filed on August 20, 2025. Pursuant to Mont. R. App. P. 7(3)(a), a settlement Conference is to be held on or before October 8, 2025.

The Court has appointed Larry Henke of Henke Law Office to serve as mediator. Appellees have discussed the Motion to Dismiss and Mont. R. App. P. 7(3)(a) deadlines with Mr. Henke. It is Mr. Henke’s recommendation that Appellees request the Court to continue the Mont. R. App. P. 7(3)(a) deadlines until the Motion to Dismiss is ruled on.

If the Court agrees with Appellees and the Appeal is dismissed, there is no need for a mediation. In the event the Court denies the Motion to Dismiss, Appellees request that the Mont. R. App. P. 7(3)(a) deadlines are initiated as of the date of such order.

Appellants have been contacted and do not oppose this motion.

DATED this 29th day of August 2025.

COTNER RYAN BLACKFORD, PLLC

/s/ David B. Cotner

David B. Cotner

Taylor N. Eisenzimer

Attorney for Plaintiffs/Appellees

CERTIFICATE OF SERVICE

I, David Brian Cotner, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 08-29-2025:

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Electronically Signed By: David Brian Cotner
Dated: 08-29-2025