

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court No. DA-25-0272

SPENCER MELBY, an individual and
COLLETTE MELBY, an individual,

Plaintiffs and Appellees,

vs.

BRUCE DOERING, an individual and
KIM DOERING, an individual,

Defendants and Appellants.

On Appeal from the Fourth Judicial District Court, Missoula County,
Cause No. DV-21-671, Hon. Judge Jason Marks

**Affidavit of Robert K. Baldwin in Support of Appellees' Second Unopposed
Motion for Extension of Time to File Response Brief**

APPEARANCES

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I, Robert K. Baldwin, submit this affidavit in support of my request for a second extension of time for the Appellees' Response Brief in this matter.

Pursuant to Rule 26(2), M.R. App. P., I hereby state as follows:

- a. The brief is currently due on November 24, 2025.
- b. The brief was first due on September 22, 2025.
- c. I request an extension of fourteen days, until December 8, 2025.
- d. An extension is necessary because appellees' schedule has still been extremely full due to two other appellate briefs having been due recently, as well as significant work in cases pending at the trial court level.
- e. In addition, the parties have renewed settlement discussions. In order to keep costs down, and give those settlement discussions a chance to succeed, the undersigned refrained from concerted effort on the brief.

This decision was made in part due to request by opposing counsel. That said, the undersigned has been informed today November 18 that settlement will not occur.

- f. I understand that Rule 26(2), M.R. App. P. contemplates that extensions must be filed at least seven days prior to the expiration of time prescribed for filing a brief. I understand I will be filing a motion for extension six days prior to the expiration of time prescribed to file the response brief at issue. I request that, given my constraints due to workload and settlement

discussions, this Court grant Appellees' Second Motion for Extension nonetheless.

- g. Despite my restraint of effort due to settlement negotiations, I have been working on the brief. I have started drafting it, and anticipate no difficulties getting it filed by the extended due date.
- h. I have contacted the opposing party. Counsel states that the appellants *do not object* to this request.

DATED November 18, 2025.

BALDWIN LAW, PLLC

By: /s/ Robert K. Baldwin
Robert K. Baldwin
Attorney for Appellees