

AUSTIN KNUDSEN
Montana Attorney General
DAVID M.S. DEWHIRST
Solicitor General
TIMOTHY LONGFIELD
Assistant Attorney General
P.O. Box 201401
Helena, MT 59620-1401
Phone: 406-444-2026
david.dewhirst@mt.gov
timothy.longfield@mt.gov

FILED

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ANGIE SPARKS, Clerk of District Court
By  Deputy Clerk

EMILY JONES,
Special Assistant Attorney General
Jones Law Firm, PLLC
115 N. Broadway, Suite 410
Billings, MT 59101
Phone: 406-384-7990
emily@joneslawmt.com

Attorneys for Defendants

**MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY**

<p>RIKKI HELD, ET AL., <i>Plaintiffs,</i> v. STATE OF MONTANA, ET AL., <i>Defendants.</i></p>	<p>Cause CDV-2020-307 Hon. Kathy Seeley MOTION FOR EXPEDITED CONSIDERATION ON DEFENDANTS' SECOND RULE 60(a) MOTION FOR CLARIFICATION OF ORDER ON STATE'S MOTION TO DISMISS</p>
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Defendants State of Montana, et al., move this Court for expedited consideration of Defendants' Second Motion for Clarification. Good cause exists for an expedited ruling on this Motion because the parties must know what case they're litigating as soon as possible. The State filed its Motion to Dismiss in April of 2020 and in July of 2022, the Court's reasons for allowing Requests for Relief 1, 2, 3, 4, and

5 to proceed in this case remain unclear. There's been no statement from the court (that remains) to explain why these cases survive a rule 12 justifiability inquiry. The Court must provide one, for without it, the State cannot calibrate its discovery objectives with adequate precision. And discovery in this case is a major taxpayer burden that persists and compounds each day. If the State can operate more precisely, it can narrow the scope of disputed issues and better steward the public resources demanded by this case.

Time is of the essence. The parties will likely need to take over sixty depositions that implicate numerous plaintiffs, state agencies, and expert witnesses. And they are undergoing substantial discovery in this factually and legally complex case. The Court's rationale for concluding that the Plaintiffs' remaining requests are justiciable is indispensable for informing the parties' discovery and further motions practice.

Accordingly, the State proposes the following expedited briefing schedule on the motion.

July 27, 2022: Plaintiffs' response brief due;

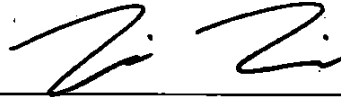
August 3, 2022: Defendants' reply brief due.

Undersigned counsel has contacted counsel for Plaintiffs, who indicated that Plaintiffs oppose this Motion.

DATED this 20th day of July, 2022.

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Special Assistant Attorney General
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115 N. Broadway, Suite 410
Billings, MT 59101
Phone: 406-384-7990
emily@joneslawmt.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

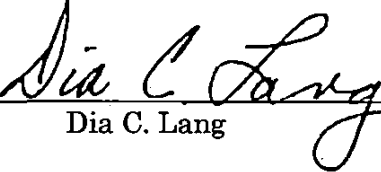
I certify a true and correct copy of the foregoing was delivered by email to the following:

Roger M. Sullivan
Dustin A. Leftridge
rsullivan@mcgarveylaw.com
dlefridge@mcgarveylaw.com

Melissa A. Hornbein
Barbara Chillcott
hornbein@westernlaw.org
chillcott@westernlaw.org

Nathan Bellinger
nate@ourchildrenstrust.org

Date: July 20, 2022


Dia C. Lang