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MONTANA FIRST JUDICIAL DISTRICT COURT, LEWIS AND CLARK COUNTY

<p>RIKKI HELD, et al.,  Plaintiffs,  v.  STATE OF MONTANA, et al.,  Defendants.</p>	<p>Cause CDV 20–307 Hon. Kathy Seeley</p> <p><b>DEFENDANTS’ NOTICE REGARDING REQUEST FOR ORAL ARGUMENT ON MOTION FOR SUMMARY JUDGMENT, MOTION TO PARTIALLY DISMISS FOR MOOTNESS, AND MOTION TO STAY PROCEEDINGS</b></p>
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Pursuant to the discussion at the pre-trial conference held on April 27, 2023 in this matter regarding Defendants’ request for oral argument on their pending Motion for Summary Judgment, Defendants hereby notify the Court of their decision to maintain their request for oral argument

**- FILED -**

April 27, 2023

*Angie Sparks*

CLERK

Lewis & Clark County District Court

STATE OF MONTANA

By: Lisa Kallio

DV-25-2020-0000307-BF

Seelev, Kathy

regarding the same. Defendants also request oral argument on their pending Motion to Partially Dismiss for Mootness and Motion to Stay Proceedings, neither of which are yet fully briefed. Defendants anticipate submitting their Reply Briefs in support of those Motions by April 28, 2023.

Defendants further wish to correct and clarify statements made by counsel at the pre-trial conference regarding the question of whether Defendants' Motion to Stay is rendered moot by the April 6, 2023 Order entered by the Yellowstone County District Court in *MEIC v. DEQ*, Cause No. DV-56- 2021-0001307. Those statements were made in error and were the result of inadvertent miscommunication, as Defendants do believe a stay is warranted as set forth in greater detail in their forthcoming Reply. Defendants apologize for any inconvenience or confusion in this regard.

DATED this 27th day of April, 2023.

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## CERTIFICATE OF SERVICE

I, Michael D. Russell, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice to the following on 04-27-2023:

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Electronically signed by Dia Lang on behalf of Michael D. Russell

Dated: 04-27-2023