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MONTANA FIRST JUDICIAL DISTRICT COURT  
LEWIS AND CLARK COUNTY

<p>RIKKI HELD, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>STATE OF MONTANA, et al.,</p> <p>Defendants.</p>	<p>Cause No. CDV-2020-307</p> <p>Hon. Kathy Seeley</p> <p><b>PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ATTORNEYS' FEES AND COSTS MOTION</b></p>
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Youth Plaintiffs respectfully move the Court for an extension of time to file their fees and costs motion and supporting documentation, which filing at this time may be obviated as described herein. Youth Plaintiffs' counsel have conferred with Defendants' counsel and Defendants do not oppose this Motion.

Counsel for Youth Plaintiffs and Defendants have consulted, and the parties will be filing a joint motion stipulating to certification of the Court's August 14, 2023 Order as final for purposes of interlocutory appeal pursuant to Rule 54(b), M. R. Civ. P. and Rule 6(6), Mont. R. App. P., and stipulating to a stay of the issue of Plaintiffs' request for attorneys' fees and costs pending the Montana Supreme Court's ruling on the merits of the interlocutory appeal. The parties plan to file their joint motion within fourteen (14) days of this motion. Essentially, the parties seek to resolve the issue of whether the pressing fundamental constitutional issues of statewide concern presented in this case can be immediately heard and adjudicated on interlocutory appeal by the Montana Supreme Court without the further time and resources that could attend the determination of Plaintiffs' request for attorneys' fees and costs.

Youth Plaintiffs further request that if this Court declines to certify its August 14, 2023 Order as final for purposes of interlocutory appeal under Rule 54(b), M. R. Civ. P. and Rule 6(6), Mont. R. App. P., or if the Montana Supreme Court declines to enter an order allowing the appeal to proceed pursuant to Rule 4(b), Mont. R. App. P., then a fourteen-day extension, from the date of this Court's denial of certification or the Montana Supreme Court's order declining to allow the appeal to proceed, whichever is later, be allowed for the filing of Youth Plaintiffs' fees and costs motion and supporting documentation.

A Proposed Order granting this Motion is submitted herewith.

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RESPECTFULLY SUBMITTED this 24th day of August, 2023.

/s/ Roger Sullivan

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## CERTIFICATE OF SERVICE

I, Roger M. Sullivan, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to the following on 08-24-2023:

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Electronically signed by Kelli I. Torbeck on behalf of Roger M. Sullivan

Dated: 08-24-2023