

IN THE SUPREME COURT

STATE OF NORTH DAKOTA

Supreme Court Case No. 20160046
Burleigh County District Court No. 08-2015-CV-1056

Casey Voigt,

Appellant,

vs.

North Dakota Public Service Commission and
Coyote Creek Mining Company, L.L.C.,
Appellees.

JOINT MOTION FOR EXTENSION OF TIME TO FILE APPELLEES' BRIEFS

APPEAL FROM DISTRICT COURT JUDGMENT ENTERED JANUARY 28, 2016
SOUTH CENTRAL JUDICIAL DISTRICT, BURLEIGH COUNTY, ND

[¶ 1] Appellees Coyote Creek Mining Company, L.L.C. and the North Dakota Public Service Commission, by and through their attorneys Brian Bjella and Illona A. Jeffcoat-Sacco, respectfully move this Court for a 30-day extension of time to file Appellees' Briefs until June 6, 2016.

[¶ 2] The extension of time is requested due to the continued demanding workload in the offices of each counsel and planned vacations. In addition to preparation of cases before the Public Service Commission, counsel for Coyote Creek Mining Company also has pending filings in other litigation, and a planned family vacation. Further, counsel for the Public Service Commission faces

resource constraints and has a prior commitment that necessitates being out of the office for much of the week preceding the current due date for Appellees' briefs. This commitment is for the purpose of a family gathering out of state to celebrate Eastern Orthodox Holy Week and Easter. Without an extension, due to work demands and other considerations, counsel will likely have to cancel travel plans. The timing of the Easter holiday, counsel's planned vacations and pre-paid travel arrangements, and the reality of continued resource constraints combine to show good cause for an extension.

[¶ 3] There exists good cause for the extension. All parties have agreed to a 30-day extension, and a Stipulation to this effect is being filed contemporaneously herewith.

[¶ 4] Based on the above, Appellees respectfully request that the 30-day extension be granted so that Appellees have until June 6, 2016 to file their Briefs.

Dated this 21st day of April 2016.

By /s/ Brian R. Bjella
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Dated this 21st day of April 2016

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