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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

PORTLAND GENERAL
ELECTRIC COMPANY; et. al,
Plaintiffs,
v.
NORTHWESTERN
CORPORATION, et al.,
Defendants.

CV-21-47-SPW-KLD

STATE OF MONTANA'S
MOTION TO STAY

Defendant Austin Knudsen, in his official capacity as Attorney General for the State of Montana (State), moves to stay proceedings related to Plaintiffs Portland General Electric Company, Avista Corporation, Pacificorp, and Puget Sound Energy, Inc.'s claims regarding Senate Bill 266. Plaintiffs' constitutional claims are based on their interpretation of the Ownership and Operation Agreement (O&O Agreement) governing Colstrip, which the parties to the agreement dispute, and which is subject to arbitration before this Court can decide whether it violates the Constitution.

Alternatively, the State moves for a six-month extension to respond to summary judgment under Fed. R. Civ. P. 56(d) because, as a non-party to the O&O Agreement, it is severely prejudiced by lack of access to the facts allegedly supporting Plaintiffs' amended complaint and motion.

And finally, judicial economy warrants a stay on summary judgment proceedings given the pending motion to remand in CV 21-58-BLG-SPW-TJC and motion to consolidate in this case.

Plaintiffs oppose this motion.

A brief in support of this motion is filed simultaneously.

DATED this 19th day of November, 2021.

AUSTIN KNUDSEN
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/s/ Aislinn W. Brown

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CERTIFICATE OF SERVICE

I certify that on this date, an accurate copy of the foregoing document was served electronically through the Court's CM/ECF system on registered counsel.

Dated: November 19, 2021

/s/ Aislinn W. Brown
AISLINN W. BROWN