AUSTIN KNUDSEN Montana Attorney General DAVID M.S. DEWHIRST Solicitor General KATHLEEN L. SMITHGALL Assistant Solicitor General J. STUART SEGREST Chief, Civil Bureau HANNAH E. TOKERUD Assistant Attorney General P.O. Box 201401 Helena, MT 59620-1401 Phone: (406) 444-2026 david.dewhirst@mt.gov kathleen.smithgall@mt.gov ssegrest@mt.gov hannah.tokerud@mt.gov

7. A

AUG 26 2021

ANGIO SPANS SIGNIFICATION COURT

INDEXED

Attorneys for Respondent

ORIGINAL

MONTANA FIRST JUDICIAL DISTRICT COURT LEWIS AND CLARK COUNTY

BOARD OF REGENTS OF HIGHER EDUCATION OF THE STATE OF MONTANA

Petitioner.

VS.

THE STATE OF MONTANA, by and through Austin Knudsen, Attorney General of the State of Montana in his official capacity,

Respondent.

Cause No. BDV-2021-598

Hon. Michael F. McMahon

STATE OF MONTANA'S MOTION FOR RULE 60 RELIEF Pursuant to Mont. R. Civ. P. 60, Defendant requests relief, in part, from this Court's July 16 Order. This motion is supported by the accompanying brief.

Plaintiff Board of Regents objects to the Defendant's Rule 60 motion but does not oppose the briefing and scheduling adjustments suggested by Defendant within that motion.

DATED this 20th day of August, 2021.

AUSTIN KNUDSEN Montana Attorney General 215 North Sanders P.O. Box 201401 Helena, MT 59620-1401

Kathleen L. Smithgall

Assistant Solicitor General

Counsel for Respondent

CERTIFICATE OF SERVICE

Pursuant to the parties' Stipulation of Electronic Service (Doc. 26),

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

Martha Sheehy Sheehy Law Firm msheehy@sheehylawfirm.com

Kyle A. Gray
Brianne C. McClafferty
Emily J. Cross
Holland & Hart LLP
kgray@hollandhart.com
bcmcclafferty@hollandhart.com
ejcross@hollandhard.com

Ali Bovingdon MUS Chief Legal Counsel Office of Commissioner of Higher Education abovingdon@montana.edu

Date: August 20, 2021

ROCHELL STANDISH