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ANGIE PARKS, Clerk of District Court

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MONTANA FIRST JUDICIAL DISTRICT COURT LEWIS AND CLARK COUNTY

TOM WINTER AND BARBARA BESSETTE,) Cause No. ADV-2021-699
PLAINTIFFS,))
V.) PLAINTIFFS' EX PARTE MOTION) FOR TEMPORARY) RESTRAINING ORDER
THE STATE OF MONTANA, BY AND	AND
THROUGH GREG GIANFORTE, IN	MOTION TO SHOW CAUSE
HIS OFFICIAL CAPACITY AS)
GOVERNOR OF MONTANA,	
DEFENDANT.)))

Plaintiffs, through counsel, submit this *Ex Parte* Motion for Temporary Restraining Order. For the reasons stated in the included Brief in Support, Plaintiffs ask this Court to enter a Temporary Restraining Order to enjoin the Governor's exercise of his appointment power relating to the pending vacancy in Montana's Eighth Judicial District Court (Cascade County) under Senate Bill 140 until such time as this Court can hold a hearing on Plaintiffs' request that this Court enter a preliminary injunction, as stated in their Complaint filed June 25, 2021.

Further, Plaintiffs request that this Court issue an Order requiring the State of Montana to show cause why the preliminary injunction sought by Plaintiffs should not be granted.

DATED this 30th day of June, 2021.

TARLOW STONECIPHER WEAMER & KELLY, PLLC

E. Lars Phillips

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of June, 2021, a true and correct copy of the foregoing document was served on the following by e-mail and U.S. Mail:

Governor Greg Gianforte P.O. Box 200801 Helena, MT 59620-1401 governor@mt.gov

Attorney General Austin Knudsen 215 N. Sanders P.O. Box 201401 Helena, MT 59620-1401 contactdoj@mt.gov

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