

AUSTIN KNUDSEN  
Montana Attorney General  
KRISTIN HANSEN

*Lieutenant General*

DAVID M.S. DEWHIRST  
*Solicitor General*

KATHLEEN L. SMITHGALL

BRENT MEAD

*Assistant Solicitors General*

PATRICK M. RISKEN

*Assistant Attorney General*

215 North Sanders

P.O. Box 201401

Helena, MT 59620-1401

Phone: 406-444-2026

Fax: 406-444-3549

david.dewhirst@mt.gov

kathleen.smithgall@mt.gov

brent.mead2@mt.gov

priskens@mt.gov

*Attorneys for Defendants*

CLERK OF THE  
DISTRICT COURT  
TERRY HALPIN

2021 OCT 19 P 4: 37

FILED

KEVIN H. THERIOT (AZ Bar No. ~~030446~~ <sup>SV</sup> ~~53~~)\*\*

DENISE M. HARLE (FL Bar No. 81977)\*  
DEPUTY

ALLIANCE DEFENDING FREEDOM

15100 N. 90th Street

Scottsdale, AZ 85260

(480) 444-0020

ktheriot@ADFlegal.org

dharle@ADFlegal.org

*\*Admitted Pro Hac Vice*

*\*\*Application for Admission Pro Hac Vice*

*Forthcoming*

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT,  
YELLOWSTONE COUNTY

PLANNED PARENTHOOD OF  
MONTANA, and JOEY BANKS, M.D.,  
on behalf of themselves and their  
patients,

Plaintiffs,

vs.

STATE OF MONTANA, by and through  
AUSTIN KNUDSEN, in his official  
capacity as Attorney General,

Defendant.

DV-21-00999

Hon. Michael G. Moses

**STATE OF MONTANA'S MOTIONS  
TO STAY DISTRICT COURT  
PROCEEDINGS OR,  
ALTERNATIVELY, FOR AN  
EXTENSION OF TIME TO FILE  
RESPONSIVE PLEADINGS**

The State, through its respective counsel, moves the Court for an Order staying proceedings in this case pending the outcome of the State's appeal of this Court's October 7, 2021, Order granting a preliminary injunction.

In the alternative, the State, through counsel, hereby moves the Court for a 21-day extension of time after the motion to stay is decided in which to file its responsive pleadings.

The undersigned counsel has contacted Plaintiffs' counsel and they oppose the motion to stay proceedings and the alternative motion for an extension of time.

DATED the 19th day of October, 2021.

AUSTIN KNUDSEN  
Montana Attorney General

KRISTIN HANSEN  
*Lieutenant General*

DAVID M.S. DEWHIRST  
*Solicitor General*

*/s/ David M.S. Dewhirst*  
DAVID M.S. DEWHIRST  
*Solicitor General*  
215 North Sanders  
P.O. Box 201401  
Helena, MT 59620-1401  
p. 406.444.2026  
david.dewhirst@mt.gov

*Counsel for Defendant*

## CERTIFICATE OF SERVICE

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

Raph Graybill  
Graybill Law Firm, PC  
300 4th Street North  
PO Box 3586  
Great Falls, MT 59403  
rgraybill@silverstatelaw.net

Kimberly Parker  
Nicole Rabner  
Wilmer Cutler Pickering Hale & Dorr LLP  
1875 Pennsylvania Avenue NW  
Washington, DC 20006  
kimberly.parker@wilmerhale.com  
nicole.rabner@wilmerhale.com

Hana Bajramovic  
Planned Parenthood Federation of  
America, Inc.  
123 William St., 9th Floor  
New York, NY 10038  
hana.bajramovic@ppfa.org

Alan Schoenfeld  
Michel Nicole Diamond  
Wilmer Cutler Pickering Hale & Dorr LLP  
7 World Trade Center  
250 Greenwich Street  
New York, NY 10007  
alan.schoenfeld@wilmerhale.com  
michelle.diamond@wilmerhale.com

Alice Clapman  
Planned Parenthood Federation of  
America, Inc.  
1110 Vermont Ave., NW Ste. 300  
Washington, DC 20005  
alice.clapman@ppfa.org

Gene R. Jarussi  
1631 Zimmerman Tr., Ste. 1  
Billings, MT 59102  
gene@lawmontana.com

Date: October 19, 2021

  
Rochell Standish