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MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT
GALLATIN COUNTY

STEVE BARRETT, ET AL.

Plaintiffs,

v.

STATE OF MONTANA, ET AL.,

Defendants.

Cause No. DV-21-581 B
Honorable Rienne H. McElyea

**DECLARATION OF
KATHLEEN L. SMITHGALL**

I, KATHLEEN L. SMITHGALL, make the following Declaration under penalty of perjury:

1. I am counsel for Defendants in the above action, am competent to testify as to the matters set forth herein, and make this Declaration based on my own personal knowledge and/or belief. I am generally familiar with the claims, materials, documents, and pleadings regarding this matter.
2. Attached as Exhibit A is a true and correct copy of Plaintiffs' responses to the State's first set of discovery requests.

email this doc to court

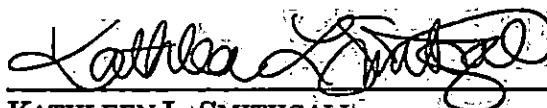
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3. Attached as Exhibit B is a true and correct copy of the Montana Supreme Court's decision in *Board of Regents v. State*, 2022 MT 128, ___ Mont. ___, ___ P.3d ___ (June 29, 2022).
4. I hereby declare under penalty of perjury under the laws of the State of Montana that the foregoing is true and correct to the best of my knowledge.

DATED this 1st day of July, 2022.

AUSTIN KNUDSEN
Montana Attorney General

DAVID M.S. DEWHIRST
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CERTIFICATE OF SERVICE

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

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Date: July 1, 2022



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