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Pro Querente

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

<p>MONTANA SHOOTING SPORTS ASSOCIATION, SECOND AMENDMENT FOUNDATION, Inc., and GARY MARBUT,</p> <p>Plaintiffs,</p> <p>vs.</p> <p>ERIC H. HOLDER, JR., ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA,</p> <p>Defendant.</p>	<p>Cause No. CV-09-147-JCL</p> <p><i>STIPULATION FOR EXTENSION OF TIME TO FILE RESPONSE AND TO SUSPEND SCHEDULING ORDER</i></p>
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Plaintiff and Defendant, by and through their respective counsel of record, after conferring to consider discovery and scheduling matters for

this case per the Court's order of October 5, 2009 (Dkt. No. 3), hereby stipulate to extending the time for (a) Plaintiffs' Response to Defendant's Motion to Dismiss, which is currently due on or before February 9, 2010, by a period of 60 days; and (b) to amend its pleadings pursuant to FED. R. Civ. P. 15(a), to the extent it applies, for a period of 60 days. Under the stipulated enlargement of time, Plaintiffs' response would be due on or before April 12, 2010.

In addition, the parties stipulate to vacating the preliminary pretrial conference in this matter until such time as Defendant's Motion to Dismiss has been fully adjudicated by the Court. The reason for the requests and stipulation is that the Defendant has asserted a constitutional challenge and the State of Montana has been served with same. The requested extension will give sufficient time for the State of Montana to respond as to its participation in the case. The parties reserve all rights not expressly addressed in this stipulation.

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Dated this 27th day of January, 2010.

Respectfully Submitted,
SULLIVAN, TABARACCI & RHOADES, P.C.

By: /s/ Quentin M. Rhoades
Quentin M. Rhoades
Pro Querente

Dated this 27th day of January, 2010.

Respectfully Submitted,
U.S. DEPARTMENT OF JUSTICE

By: /s/ Alexander K. Haas
Alexander K. Haas
Attorney for Defendant Holder

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of January, 2010, a copy of the foregoing document was duly served on the following persons by the following means:

- 1 CM/ECF
- Hand Delivery
- 2 Mail
- Overnight Delivery Service
- Certified Return Receipt Requested Mail
- Registered Mail
- Fax
- E-Mail

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- 2 Steve Bullock
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By: /s/ Quentin M. Rhoades
 Quentin M. Rhoades
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