

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. OP 11-0258

KIP BARHAUGH; TIMOTHY BECHTOLD as natural)
parent and on behalf of S.B. and B.B.; RYAN BUSSE)
as natural parent and on behalf of L.B. and B.B.;)
GRADEN OEHLERICH HAHN and JAMUL F. HAHN)
as natural parents and on behalf of A.H. and A.H.; EMILY)
HOWELL; LARRY HOWELL as natural parent and on)
behalf of S.H.; MAYLINN SMITH as natural parent and)
on behalf of W.F. and M.F.; and JOHN THIEBES,)
))
Petitioners,)
))
v.)
))
THE STATE OF MONTANA,)
))
Respondent.)

ORDER

FILED
MAY 17 2011
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Petitioners have filed herein a petition for original jurisdiction asking us to enter judgment that (1) the State of Montana holds the atmosphere in trust for the present and future citizens of the state of Montana; and (2) that the State of Montana has the affirmative duty to protect and preserve the atmospheric trust, including establishing and enforcing limitations on the levels of greenhouse gas emissions as necessary to mitigate human-caused climate change.

IT IS HEREBY ORDERED, pursuant to M. R. App. P. 14(7), that the Respondent State of Montana is granted twenty days in which to respond to the petition for original jurisdiction.

The Clerk is directed to provide copies of this Order to all counsel of record and to Steve Bullock, Montana Attorney General.

DATED this 17th day of May, 2011.

Brian Moran

Peter Foley

Michael E. Whelan

Patricia Cotten

Jim Rice

Justices