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*Attorney for Defendants Department of Environmental Quality,
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**Montana First Judicial District Court
Lewis and Clark County**

<p>Rikki Held, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>State of Montana, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Cause No. CDV-2020-307</p> <p>Defendants' Motion for Clarification and for Stay of Judgment Pending Appeal</p>
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Defendants Department of Environmental Quality, Department of Natural Resources and Conservation, Department of Transportation, and Governor Gianforte respectfully move this Court for the following relief:

1. Clarification that this Court's August 14, 2023, Findings of Fact, Conclusions of Law, and Order ("Order") (Doc. 405), does not require Defendants to analyze or calculate greenhouse gas (GHG) emissions or climate change impacts in every MEPA analysis for permitting decisions and/or regulatory actions but, instead, merely declared Montana

Code § 75-1-201(2)(a) unconstitutional and enjoined Defendants from applying Montana Code § 75-1-201(2)(a).

2. A stay of the Court's Order and any judgment contained therein pending appeal under Montana Rule of Appellate Procedure 22(1)(a)(i).

A supporting brief, declaration, and exhibits are filed contemporaneously with this Motion. Counsel for Plaintiffs have been contacted about this motion and indicated that they oppose.

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CERTIFICATE OF SERVICE

I, Dale Schowengerdt, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to Stay to the following on 10-16-2023:

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Electronically Signed By: Dale Schowengerdt
Dated: 10-16-2023