

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 22 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

IMPERIAL SOVEREIGN COURT OF
THE STATE OF MONTANA, et al.

Plaintiffs - Appellees,

v.

AUSTIN KNUDSEN and ELSIE
ARNTZEN,

Defendants - Appellants

J.P. GALLAGHER and CITY OF
HELENA,

Defendants.

No. 23-3581

D.C. No. 2:23-cv-00050-BMM
District of Montana, Butte

ORDER

The appeal filed November 13, 2023, is a preliminary injunction appeal. Accordingly, Ninth Circuit Rule 3-3 will apply.

The mediation questionnaire is due three days after the date of this order.

If they have not already done so, within 7 calendar days after the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal.

The opening brief and excerpts of record are due no later than December 11, 2023. The answering brief is due January 8, 2024, or 28 days after service of the

opening brief, whichever is earlier. The optional reply brief is due within 21 days after service of the answering brief. *See* 9th Cir. R. 3-3(b).

No streamlined extensions of time will be approved. *See* 9th Cir. R. 31-2.2(a)(3). Any request for an extension of time to file a brief must be made by written motion under Ninth Circuit Rule 31-2.2(b).

Failure to file timely the opening brief shall result in the automatic dismissal of this appeal by the Clerk for failure to prosecute. *See* 9th Cir. R. 42-1.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT