

Joseph V. Womack, Attorney No. 2641
WALLER & WOMACK
303 N. Broadway, Suite 805
Billings, MT 59101
Telephone: (406) 252-7200
Fax: (406) 252-4266
E-mail: jwomack@jvwlaw.com

John Cardinal Parks, Attorney No. 18669 (Colorado)
Bart B. Burnett, Attorney No. 21258 (Colorado)
Robert M. Horowitz, Attorney No. 17848 (Colorado)
Kevin S. Neiman, Attorney No. 36560 (Colorado)
HOROWITZ & BURNETT, P.C.
1660 Lincoln Street, Suite 1900
Denver, CO 80264
Telephone: (303) 996-8600
Fax: (303) 996-8636
E-mail: jparks@hblegal.net
bburnett@hblegal.net
bhorowitz@hblegal.net
kneiman@hblegal.net

Counsel for the Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

**SOUTHERN MONTANA
ELECTRIC GENERATION AND
TRANSMISSION
COOPERATIVE, INC.,**

Debtor.

Case No. 11-62031-11

**EX PARTE MOTION BY TRUSTEE TO FILE OVER-LENGTH OBJECTION TO
MOTION TO REMOVE CHAPTER 11 TRUSTEE**

Lee A. Freeman, the duly appointed Chapter 11 trustee (the “**Trustee**”), moves on an *ex parte* basis to file an over-length objection to the *Motion to Remove Chapter 11 Trustee* (the

“**Motion to Remove**”) (Dkt. No. 1101), filed by Fergus Electric Cooperative, Inc. (“**Fergus**”), in excess of the 15-page limit set by Mont. LBR 9013-2(a), but no more than 25 pages (exclusive of exhibits). The following grounds support this Motion:

1. On October 21, 2013, Fergus filed the Motion to Remove, seeking to terminate the Trustee’s appointment. The Trustee is in the process of researching and drafting an objection to the Motion to Remove.

2. The Trustee is attempting to be concise in his objection, but the Trustee expects to exceed the 15-page limit of Mont. LBR 9013-2(a), especially given the extraordinary relief sought by Fergus and the Trustee’s intent to comprehensively respond.

3. As such, the Trustee requests authorization to exceed the 15-page limitation by 10 pages such that the Trustee has 25 pages to object to the Motion to Remove, exclusive of any exhibits. The Trustee will endeavor, however, to keep the objection to 20 pages or less.

WHEREFORE, the Trustee respectfully requests that the Court consider this Motion, and thereupon enter an Order authorizing the Trustee to file an over-length objection to the Motion to Remove in excess of the 15-page limit set by Mont. LBR 9013-2(a), but no more than 25 pages

(exclusive of exhibits); and such other relief as is necessary and proper.

Dated: October 25, 2013.

/s/ Joseph V. Womack
Joseph V. Womack
WALLER & WOMACK
303 N. Broadway, Suite 805
Billings, MT 59101
Telephone: (406) 252-7200
Fax: (406) 252-4266
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Fax: (303) 996-8636
E-mail: jparks@hblegal.net
bburnett@hblegal.net
bhorowitz@hblegal.net
kneiman@hblegal.net

Counsel for the Chapter 11 Trustee

CERTIFICATE OF SERVICE

I, the undersigned, certify under penalty of perjury that, in accordance with the Trustee's Limited Notice List, on October 25, 2013, or as soon as possible thereafter, copies of the foregoing were served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities:

PPL EnergyPlus, LLC
2 North Ninth Street
Allentown, PA 18101

NorthWestern Energy
40 East Broadway St.
Butte, MT 59701-9394

LS Jensen Construction
4685 Mullan Road
Missoula, MT 59808

Stanley Consultants
8000 S. Chester St.
Centennial, CO 80112

Electrical Consultants, Inc.
3521 Gabel Road, Ste. 2
Billings, MT 59102

Corval Group
1633 Eustis Street
Saint Paul, MN 55108

Falls Construction Company
1001 River Drive North
Great Falls, MT 59401

First Interstate Bank
PO Box 5010
Great Falls, MT 59403-5010

Grassman Tractor Service
512 51st Street South
Great Falls, MT 59405

Modern Woodmen of America
Attn: Investment Department
1701 First Avenue
Rock Island, IL 61201

National Rural Utilities Co-op Fin.
20701 Cooperative Way
Dulles, MT 20166

Prudential Capital Group
2200 Ross Avenue, Suite 4200E
Dallas, TX 75201

Yellowstone Electric Company
1919 4th Avenue North
Billings, MT 59101

By: /s/ Connie Reynolds
Connie Reynolds
Legal Assistant