No. 220155, Original

IN THE
Supreme Court of the United States

TEXAS,

Plaintiff,

v.

COMMONWEALTH OF PENNSYLVANIA, STATE OF GEORGIA, STATE OF MICHIGAN, AND STATE OF WISCONSIN,

Defendants.

MOTION FOR LEAVE TO FILE AND BRIEF OF STEVE BULLOCK, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF MONTANA AS AMICUS CURIAE IN SUPPORT OF DEFENDANTS

RAPHAEL GRAYBILL
Chief Legal Counsel
RYLEE SOMMERS-FLANAGAN
Deputy Legal Counsel
Office of the Governor
P.O. Box 200801
Helena, MT 59620-0801
(406) 444-3179

ADAM G. UNIKOWSKY
Counsel of Record
KATHRYN WYNBRANDT
Jenner & Block LLP
1099 New York Ave, NW
Washington, DC 20001
(202) 639-6009
aunikowsky@jenner.com

ATTORNEYS FOR GOVERNOR STEVE BULLOCK

MOTION FOR LEAVE TO FILE

Steve Bullock, in his official capacity as Governor of Montana, respectfully moves for leave to file a brief as *amicus curiae* respecting the motions for leave to file a bill of complaint and for a preliminary injunction in this case (i) without 10 days' advance notice to the parties of its intent to file as ordinarily required by Supreme Court Rule 37.2(a), and (ii) in an unbound format on 8½-by-11-inch paper rather than in booklet form. *See* Sup. Ct. R. 37.

Plaintiff filed its motion for leave to file a bill of complaint in this matter on December 7, 2020. On December 8, the Court requested responses to the motion by 3 p.m. on Thursday, December 10. In light of this expedited briefing schedule, it was not feasible to provide 10 days' notice to the parties. In addition, the compressed schedule prevented Governor Bullock from having the brief finalized in sufficient time to allow it to be printed and filed in booklet form. Plaintiff and Defendants have been notified of Governor Bullock's intent to file an *amicus* brief. When notified, counsel for Pennsylvania consented to the filing of this brief, and counsel for Wisconsin and Georgia informed Governor Bullock that they did not object. Counsel for Michigan and Texas have not yet responded to Governor Bullock's request for consent.

As set forth in the enclosed brief, the undersigned *amicus* has a strong interest in the outcome of this case. Governor Bullock, in his official capacity, has an important interest in governors and state executive

branch actors retaining their key role in interpreting and implementing state election law. Governor Bullock likewise has a critical interest in ensuring that these actors retain their ability to safely accommodate voters in light of emergencies such as the COVID-19 pandemic. Based on Governor Bullock's successful experience defending these interests in challenges similar to those Defendant States face here, Governor Bullock has a distinct perspective on Defendants' interests, and the *amicus* brief includes relevant material not already brought to the attention of the Court by the parties that may be of considerable assistance to the Court. *See* Sup. Ct. R. 37.1. Specifically, Governor Bullock will make three points if granted leave.

First, Governor Bullock will describe the failed pre-election challenges to Montana's voting procedures that closely resemble Texas's challenge in this case. Prior to the general election, the Trump campaign and other plaintiffs brought challenges to Governor Bullock's Election Directive, which expanded access to vote-by-mail in Montana for the November 3 general election. Those challenges failed both because the Governor's Election Directive was a lawful exercise of delegated authority under state law, and because equitable considerations precluded changing election administration at the last minute.

Second, Governor Bullock will argue that the process and outcome in Montana are instructive in demonstrating why Plaintiff's motions before this Court should fail. The Montana proceedings required the District Court to scrutinize the facts on the ground and

make a judgment based on the evidentiary record the parties had developed—not based on the parties' bare assertions. Upon examining that record, the court was compelled to conclude that the plaintiffs failed to identify a single instance of the harms they alleged. Texas's decision to bring its complaints directly to this Court is an attempt to avoid precisely that fate. Texas has not developed an evidentiary record of violations in any of the states whose results it challenges, and so it seeks to simply skip the critical fact-finding stage. Texas should not be permitted to short-circuit the judicial process in this way and obtain relief to which it is not entitled.

Third, Governor Bullock will argue that *Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam), militates against disturbing the results of this election. The *Purcell* principle—cited approvingly by Texas itself in election-related litigation regarding its own election procedures—warns federal courts to avoid altering state election laws close to the election date. The purpose of such restraint is to avoid discouraging voter turnout, sowing confusion that might lead voters to cast their ballots improperly, or undermining public faith in elections. These commonsense concerns counsel even more strongly against taking action that would cast doubt on an election that has already taken place. The *Purcell* principle therefore weighs heavily against the relief Texas now seeks.

CONCLUSION

Governor Bullock respectfully requests that the Court grant leave to file an *amicus* brief respecting Texas's motions.

December 10, 2020

/s/ Adam G. Unikowsky

RAPHAEL GRAYBILL
Chief Legal Counsel
RYLEE SOMMERS-FLANAGAN
Deputy Legal Counsel
Office of the Governor
P.O. Box 200801
Helena, MT 59620-0801
(406) 444-3179

ADAM G. UNIKOWSKY
Counsel of Record
KATHRYN WYNBRANDT
Jenner & Block LLP
1099 New York Ave, NW
Washington, DC 20001
(202) 639-6009
aunikowsky@jenner.com

TABLE OF CONTENTS

TABLE OF AUTHORITIES

CASES

STATUTES

OTHER AUTHORITIES

INTRODUCTION[1]

Texas has sued four other States, directly in this Court, seeking to overturn the results of the presidential election. Texas alleges that those States' efforts to facilitate voting in the midst of the COVID-19 pandemic violated the Electors Clause. Texas further maintains that expanding the availability of mail ballots resulted in fraud on a massive scale. Seventeen states have signed an *amicus* brief in support of Texas's lawsuit.

Texas chose not to include the State of Montana, where President Trump and other Republicans were successful in a mail ballot election conducted to reduce the impact of COVID—underscoring, of course, that this action is less about election integrity than it is about attempting to overturn the will of the electorate. But if Texas is successful in its suit, it would destabilize the results of elections in Montana and any other state that took valid state-law actions to minimize the impact of the virus on voting, including states that delivered victories to Republican candidates using mail ballots.[2]

---

[1] Pursuant to this Court's Rule 37.6, *amicus* states that this brief was not authored in whole or in part by counsel for any party, and that no person or entity other than amicus, its members, or its counsel made a monetary contribution intended to fund the preparation or submission of this brief.

[2] The Montana Attorney General joined an amicus brief of Republican Attorneys General urging this Court to accept the Texas suit. His participation is a surprise. As detailed throughout, nearly identical claims arose in litigation in Montana this fall and were resoundingly rejected by a federal district court in Montana.

There are many reasons to reject Texas's extraordinary lawsuit. One reason is simply that it is not a procedurally appropriate way to challenge state election laws. As this Court has repeatedly emphasized, challenges to state election laws should occur in an orderly fashion, on a non-emergency basis, well in advance of elections, according to ordinary rules of civil procedure. They should not be raised in the Supreme Court, on an emergency basis, in an effort to overturn the result of an election that has already occurred.

Were that not enough, challenges to state election laws should proceed on a state-by-state basis, rather than in an omnibus suit seeking to reverse the outcome of the presidential election in four states simultaneously. Texas's claims under the Electors Clause hinge on its theory that voting procedures in Pennsylvania, Wisconsin, Michigan, and Georgia conflict with the enactments of those states' respective legislatures. But state election laws vary considerably. Hence, even accepting Texas's premise that a state-law objection to a voting procedure could yield a federal constitutional violation, the Electors Clause analysis necessarily differs from state to state. Likewise, the susceptibility of state voting procedures to fraud, as well as states' historical experiences with fraud, may differ from state to state. It is impossible for such allegations to be properly adjudicated in a single Original Action involving four States, with no factual record or legal

---

Montana's experience with mail ballots has been a successful one, aided in no small part by the Montana Attorney General's prior, strenuous defense of Montana's election laws. *See Driscoll v. Stapleton*, 473 P.3d 386 (Mont. 2020).

conclusions by any lower court, on a highly expedited time frame.

When litigants *did* bring state-by-state challenges before the election, those challenges proved unsuccessful. Montana's experience is a prime example. The Trump campaign and several other plaintiffs associated with the Republican Party sued Governor Bullock before the election, alleging, among other things, that the Governor's mail ballot directive ("Election Directive") violated the Electors Clause. The U.S. District Court for the District of Montana concluded that the Governor's directive complied with Montana law as enacted by the Montana legislature; that there was no Montana-specific evidence of election fraud; and that the lawsuit was brought too late. The Ninth Circuit and this Court denied applications to enjoin the Election Directive.

Although Montana is not a defendant in this Court, the Montana litigation is pertinent to this case for three reasons. First, it illustrates that States have highly individualized, state-specific defenses to Electors Clause claims. Such claims cannot be resolved based on sweeping assertions that the Electors Clause bars any effort by state executive branch officials to alleviate the risks of COVID-19 in elections. Second, Montana's experience illustrates that when plaintiffs (including the Trump campaign) were afforded the opportunity to create an evidentiary record establishing that mail voting would yield election fraud, they were unable to do so. The Court therefore should not credit Texas's assertion of widespread voter fraud in the absence of

such an evidentiary record. Third, the Montana litigation shows that the *Purcell* principle applies to Electors Clause claims just as much as it applies to other types of constitutional claims. The *Purcell* principle applies with particular force here, when Texas seeks to overturn the results of an election that has already occurred.

ARGUMENT

I. Pre-Election Challenges to Montana's Mail Ballot Voting Procedures Failed.

a. Governor Bullock issued an Election Directive in response to the COVID-19 emergency.

In response to the COVID-19 crisis, Governor Bullock declared a state of emergency on March 12, 2020, which remains in place today. Following that declaration, the Governor issued a directive on March 25, providing for measures to implement the June primary election safely. Among those measures was a directive ensuring wider access to mail voting. Montana law ordinarily authorizes mail ballots to be used for certain local elections, but not for regularly scheduled federal elections. *See generally* Mont. Code Ann., tit. 13, ch. 19. Yet Montana law also confers on the Governor the authority to "suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency if the strict compliance with the provisions of any statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster." Mont. Code Ann. § 10-3-104(2)(a). A

"[d]isaster" is defined in relevant part as an "outbreak of disease." *Id.* § 10-3-103(4). Exercising that express statutory authority, Governor Bullock authorized counties to conduct the primary using statutory mail ballot procedures ordinarily used for local elections.

Over the course of the summer months and into early autumn, rates of COVID-19 infection in Montana first rose and then skyrocketed, with the average number of daily new cases more than doubling in the last two weeks of September. On October 3, a record of 501 new cases was reported. In the weeks immediately after the election, daily new case records were repeatedly broken as the rate of new cases continued to grow. Relying on input from public health officials and county election administrators, the Governor issued on August 6 an Election Directive permitting counties to adopt mail-balloting procedures for the November general election. Like the directive during the Primary, the Election Directive authorized counties to use procedures already established in Montana law to conduct the 2020 general election using mail ballots, subject to certain conditions enumerated in the Directive. For example, counties were also required to give voters an option to vote in-person at the county election office or other designated location through Election Day, to provide satellite voting offices for Indian reservations, to expand early voting opportunities and time for voter registration, and to adopt infection control protocols at polling places.

b. The Trump campaign's challenge to the Election Directive failed in court.

On September 2, 2020, several plaintiffs, including the Trump campaign and the Republican National Committee, sued Governor Bullock in the District of Montana, seeking to enjoin the Election Directive. Much like Texas here, the plaintiffs alleged that the Election Directive violated the Electors Clause of the Constitution and made sweeping assertions that mail voting would lead to voter fraud.

The District Court carefully analyzed the plaintiffs' claims and dismissed them all. *See Donald J. Trump for President, Inc. v. Bullock*, No. CV 20-66, __ F. Supp. 3d __, 2020 WL 5810556 (D. Mont. Sept. 30, 2020). First, the District Court undertook a close analysis of Montana's election laws and concluded that the Election Directive did not violate state law. To the contrary, it was an exercise of statutory authority expressly conferred on the Governor by the State Legislature. Under Montana law, the Governor has the authority to "suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency if the strict compliance with the provisions of any statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster." Mont. Code Ann. § 10-3-104(2)(a). A "[d]isaster" is defined in relevant part as an "outbreak of disease." *Id.* § 10-3-103(4). The District Court found that COVID-19 was an "outbreak of disease," and that the Election Directive fell squarely within the Governor's

explicit authority to "suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business." 2020 WL 5810556, at *10-11 (quoting Mont. Code Ann. § 10-3-103(4)).

Second, the District Court did not rely on the plaintiffs' bare assertions that fraud would be rampant, but instead closely examined the evidentiary record as to whether the Election Directive would increase the risk of fraud. It found that "Plaintiffs have not introduced even an ounce of evidence supporting the assertion that Montana's use of mail ballots will inundate the election with fraud," and "[t]he record is replete with evidence that Montana's elections and the use of mail ballots present no significant risk of fraud." *Id.* at *12. "The declarations provided by Governor Bullock from three elections officials in Montana fortif[y] the conclusion that a county's use of mail ballots does not meaningfully increase the already nominal risk of voter fraud in this State." *Id.* at *13.

Third, the District Court examined the evidence of record and found that "issuance of the injunctive relief sought by Plaintiffs would have profound, and most likely catastrophic consequences on the administration of Montana's general election." *Id.* at *15. It explained "(1) the impossibility of procuring, training, and certifying the competency of the election judges necessary to administer an election in the absence of mail ballot procedures; (2) the logistical nightmare posed by completely reversing course at this late hour and moving from a mail ballot to traditional election administration; and (3) the difficulty, harm to election

integrity, and resulting confusion that would occur if counties had to notify their citizens of the abrupt last minute change to available voting opportunities." *Id.* "The result is the possible disenfranchisement of thousands of Montana voters who as of the date of this Order, are operating under the belief that they will shortly receive a ballot in the mail." *Id.* at *16. The District Court "heed[ed] the Supreme Court's warning against changing the rules of the game on the eve of an election." *Id.* at *15.

The Trump campaign, Republican National Committee, and numerous other plaintiffs did not bother appealing this ruling. The Ravalli County Republican Central Committee and certain individual plaintiffs sought emergency relief from the Ninth Circuit, but it was summarily denied. They then sought relief from this Court, but Justice Kagan denied their request without requesting a response. *Lamm v. Bullock*, No. 20A61 (U.S. Oct. 8, 2020).

Following this Court's denial of injunctive relief, the November 2020 election proceeded smoothly. Although the Trump campaign and other plaintiffs warned of logistical nightmares that would arise from mail voting, no such logistical nightmares occurred. Nor have there been any credible allegations of voter fraud in Montana. Finally, although Montana continues to struggle with COVID-19, *amicus* is unaware of any COVID-19 outbreak in Montana caused or exacerbated by the election.

II. Montana's Experience Shows Why this Court Should Stay Its Hand.

The Montana litigation shows why this Court should be skeptical of Texas's claims—and even more skeptical of Texas's request to resolve them, on an expedited basis, after the presidential election has occurred.

First, neither Texas nor its amici undertake a serious state-law analysis of whether the Defendant States' election procedures complied with the enactments of their respective state legislatures. Instead, they merely assert that state officials' efforts to alleviate the risks of COVID-19 during elections automatically violate the Electors Clause if not explicitly authorized by the state legislature. Yet as the Montana litigation shows, that sweeping assumption is unwarranted. As here, the Trump campaign made broad, general statements that the Governor violated state law; the Governor responded by identifying the precise provision of state law that authorized his order; the District Court ruled that his order was statutorily authorized; and the Trump campaign did not appeal. The timing of Texas's suit in this Court makes it impossible to conduct the careful state-law analysis needed to resolve Texas's claims.

Second, neither Texas nor its *amici* undertake a serious effort to put forth competent evidence in support of their claims of widespread voter fraud. Indeed, because Texas filed suit directly in this Court rather than in a trial court, there is no evidentiary record at all.

As Montana's experience illustrates, it is easy to make accusations of voter fraud, but more difficult to support such accusations with evidence. The Court should not entertain accusations of fraud and misconduct that have not been through the ordinary crucible of trial litigation.

III. The *Purcell* Principle Applies to Electors Clause Claims—and Applies With Particular Force Here.

Neither Texas nor its *amici* address the elephant in the room: the *Purcell* principle. The District of Montana rightly concluded that the *Purcell* principle barred the Trump campaign's last-minute Electors Clause claim. That principle applies with even greater force to this case.

As Justice Kavanaugh recently stated: "This Court has repeatedly emphasized that federal courts ordinarily should not alter state election laws in the period close to an election—a principle often referred to as the *Purcell* principle." *Democratic Nat'l Comm. v. Wis. State Legislature*, No. 20A66, 2020 WL 6275871, at *3 (U.S. Oct. 26, 2020) (Kavanaugh, J., concurring) (citing *Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam)).

Purcell is a constraint on a federal court's authority to issue injunctive relief. As a general principle, a plaintiff is never entitled to an injunction as of right, even if that plaintiff has shown a likelihood of success on the merits. Rather, to obtain an injunction, a plaintiff must additionally show that "the balance of equities tips in his favor, and that an injunction is in the

public interest." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). "In exercising their sound discretion, courts of equity should pay particular regard for the public consequences in employing the extraordinary remedy of injunction." *Id.* at 24 (quotation marks omitted). In other words, even a plaintiff who has a winning federal claim should still be denied an injunction when the equities or the public interest counsel against injunctive relief.

Purcell applies those principles in the context of elections. In *Purcell*, the Court stayed an injunction, issued shortly before an election, against the application of Arizona's voter ID law. The Court did not opine on whether Arizona's law was constitutional. Rather, it held that *regardless* of the plaintiff's likelihood of success on the merits, the balance of equities and the public interest disfavor issuing injunctions that would alter election rules on the eve of an election. The Court explained that in deciding whether to issue such injunctions, courts must weigh, "in addition to the harms attendant upon issuance or nonissuance of an injunction, considerations specific to election cases and its own institutional procedures. Court orders affecting elections, especially conflicting orders, can themselves result in voter confusion and consequent incentive to remain away from the polls. As an election draws closer, that risk will increase." *Purcell v. Gonzalez*, 549 U.S. 1, 4-5 (2006) (per curiam). Although Texas seeks an injunction overturning election procedures in this case,

it routinely invokes the protections of *Purcell* when its own election procedures are challenged.[3]

In *Purcell* itself, and in several other Supreme Court cases applying *Purcell*, a lower court had enjoined a state statute that was an allegedly unconstitutional restriction on voting rights, and the Supreme Court stayed or reversed the injunction. But *Purcell*'s logic is not limited to that scenario. *Purcell* is not a substantive doctrine that disfavors constitutional challenges to voting restrictions. Rather, it is an equitable doctrine that disfavors last-minute federal injunctions that would disrupt the status quo. As the District of Montana rightly concluded, *Purcell*'s logic applies with equal force regardless of whether the particular federal constitutional challenge seeks to expand or restrict voting rights, and regardless of whether the federal constitutional provision at issue is the Due Process Clause, the Electors Clause, or anything else. Under *Purcell*, federal courts should not issue last-minute injunctions that would disturb voters' reliance on pronouncements of state officials—whatever those

---

[3] *See, e.g.*, Memorandum of Law in Opposition to Plaintiffs' Application for Temporary Restraining Order and Preliminary Injunction, *Tex. Voters All. v. Dallas County*, No. 4:20-cv-775 (E.D. Tex. Oct. 15, 2020), 2020 WL 6578026; State Defendants' Response to Plaintiffs' Motion for a Preliminary Injunction, *Tex. League of United Latin Am. Citizens v. Abbott*, No. 1:20-cv-1006 (W.D. Tex. Oct. 8, 2020), 2020 WL 6692910; Texas Secretary of State Ruth R. Hughs's Response in Opposition to Plaintiffs' Motion for Preliminary Injunction, *Texas All. For Retired Ams. v. Hughs*, No. 5:20-cv-128 (S.D. Tex. Sept. 2, 2020), 2020 WL 6603307.

pronouncements are or whatever the reason those pronouncements allegedly violate the Constitution.

Against that backdrop, it is clear that *Purcell*, which involved a request for federal relief to enjoin enforcement of a state law immediately prior to Election Day, applies with even more force to the current context of a request for federal relief dictated by this Court after Election Day.

First, consider *Purcell*'s core concern that late-breaking court orders can cause "voter confusion and consequent incentive to remain away from the polls." 549 U.S. at 4-5. That concern is powerful even in advance of an election, before voters have cast their ballots. But it is even more so when the rule changes occur *after* Election Day: When rule changes occur *after* ballots are cast, there is not just the *potential* for disenfranchisement by causing voters to "remain away from the polls," there is actual disenfranchisement of voters who actually went to the polls and cast a legal ballot.

As Justice Kavanaugh recently reiterated, "[w]hen an election is close at hand, the rules of the road should be clear and settled." *Democratic Nat'l Comm.*, 2020 WL 6275871, at *3 (Kavanaugh, J., concurring). In other words, voters should know that when they follow the rules in casting their ballots, those ballots will be counted. *See id.* (noting the importance of "state and local officials" being able to "communicate to voters how, when, and where they may cast their ballots through in-person voting on election day, absentee voting, or early

voting"). Indeed, in evaluating the "considerations specific to election cases and [their] own institutional procedures," *Purcell*, 549 U.S. at 4, there is perhaps no greater consideration than voters' reliance on the fact that if they follow the rules that have been communicated to them, they will not be disenfranchised. *Purcell* thus not only prohibits federal courts from changing the election rules that voters rely on in the period close to an election, it also prohibits federal courts from changing the election rules after the election has occurred.

Second, the Court emphasized in *Purcell* that "[a] state indisputably has a compelling interest in preserving the integrity of its election process" and that "[c]onfidence in the integrity of our electoral processes is essential to the functioning of our participatory democracy." 549 U.S. at 4 (quotation marks omitted). Although the Court made these remarks while explaining the justifications for the voter ID law at issue there, the same principles justify *Purcell*'s limitations on injunctive relief. *Purcell* rests on a concern that a federal injunction on the eve of an election risks making election results less trustworthy. But whatever the magnitude of that perception, it would be dwarfed by the counter-perception of unfairness in throwing out thousands of votes that were legally cast under the rules in place at that time. Invalidating votes en masse when voters will have no chance to cure their ballots in compliance with a court's determination decimates, rather than safeguards, confidence in elections.

Third, and most fundamentally, the entire premise of *Purcell* was that the rules that are in place on Election Day are the rules that govern the election. *See id.* at 5-6 ("Given the imminence of the election and the inadequate time to resolve the factual disputes, our action today shall of necessity allow the election to proceed without an injunction suspending the voter identification rules."). *Purcell*'s holding effectively ruled out the possibility of a post-election injunction retroactively changing the rules (for instance, allowing provisional votes cast by voters without voter IDs to be counted). If a federal court could not issue a post-election injunction forcing state officials to count votes they would otherwise discard, then a federal court similarly cannot issue a post-election injunction forcing state officials to discard votes they would otherwise count.

The District Court rightly ruled that the Trump campaign's challenge to Montana's Election Directive was barred by *Purcell*. Texas's challenge here—which would disenfranchise millions of legal, good-faith voters and overturn a presidential election—is even more plainly barred by *Purcell*.

Governor Bullock also urges this Court to consider that Texas's untimely suit would not merely disenfranchise voters in the four Defendant states. Texas's arguments could just as well be made with respect to any State that took precautionary measures against the COVID-19 pandemic. As such, Texas's suit threatens to destabilize the result of the general election in all such States. If *any* action by the courts could shake confidence in republican government to its core, it would

be the overturning of state election outcomes based on the retroactive nullification of safety precautions validly adopted in the face of a once-in-a-century global pandemic.

Thus, this Court should decline to entertain Texas's complaint.

CONCLUSION

The motion for leave to file a bill a complaint should be denied.

Respectfully submitted,

December 10, 2020

/s/ Adam G. Unikowsky

RAPHAEL GRAYBILL
Chief Legal Counsel
RYLEE SOMMERS-FLANAGAN
Deputy Legal Counsel
Office of the Governor
P.O. Box 200801
Helena, MT 59620-0801
(406) 444-3179

ADAM G. UNIKOWSKY
Counsel of Record
KATHRYN WYNBRANDT
Jenner & Block LLP
1099 New York Ave, NW
Washington, DC 20001
202) 639-6009
aunikowsky@jenner.com