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IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. _____

TIMOTHY C. FOX, in his official capacity as the Attorney General for
the State of Montana,

Defendant and Appellant,

v.

CITY OF MISSOULA,

Plaintiff and Appellee.

NOTICE OF APPEAL

NOTICE is given that Timothy C. Fox, in his official capacity as Attorney General for the State of Montana, the Appellant above-named and is the Defendant in that cause of action filed in the Fourth Judicial District, in and for the County of Missoula as Cause No. DV-18-429, hereby appeals to the Supreme Court of the State of Montana from the Order entered in such action on October 11, 2018, granting the Plaintiff's motion for summary judgment and denying the Defendant's cross-motion for summary judgment, the Order entered on October 25, 2018 denying the Defendant's Motion for Relief from Order—Mont. R. Civ. P. 60(a) and (b)(6), and the Amended Judgment entered on both Orders by the District Court on November 9, 2018.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not subject to the mediation process required by Mont. R. App. P. 7.
2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b).
3. That no transcripts of proceedings are necessary for this appeal.

4. That the Appellants are exempt from filing fee requirements.

Respectfully submitted November 29, 2018.

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By: */s/Patrick M. Risken*
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CERTIFICATE OF SERVICE

I, Patrick Mark Risken, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 11-29-2018:

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Electronically signed by Beverly Holnbeck on behalf of Patrick Mark Risken
Dated: 11-29-2018