

ORIGINAL**FILED**

11/30/2018

FILED
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA
Case Number: DA 18-0677

1 William M. Russell
2 PO Box 2703
3 Columbia Falls, MT 59912
4 (406) 309-5862
5 email: midnightmopper@gmail.com
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NOV 30 2018

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA**SUPREME COURT CAUSE NO: DA 18-0677**

WILLIAM M. RUSSELL
Plaintiff AND Appellant,

~vs~

360 RECLAIM LLC, A MONTANA LIMITED LIABILITY COMPANY;
AND KS VENTURES LLC, AN ARIZONA LIMITED LIABILITY
COMPANY,

Defendants.

Hon. Amy Eddy

Cause No: DV-18-733A

PLAINTIFF
WILLIAM M. RUSSELL'S
NOTICE OF APPEAL

10 **NOTICE** is given that William M. Russell, the Appellant above-named and
11 who is the plaintiff in that cause of action filed in the Eleventh Judicial District, in
12 and for the County of Flathead as Cause No. DV-18-733A, hereby appeals to the
13 Supreme Court of the State of Montana from the final judgement or order entered
14 in such action on the 1st day of November in 2018.

Plaintiff William M. Russell's Notice of Appeal from District Court

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16 **THE APPELLANT FURTHER CERTIFIES:**

- 17 1. That this appeal is not subject to the mediation process required by M. R.
 18 App. P. 7. If subject to mediation, the money judgement being sought
 19 is/is not less than \$5000.
 20 2. That this appeal is/is not X an appeal from an order certified as
 21 final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of
 22 the District Court's certification order is attached hereto as Exhibit "A".
 23 3. That all available transcripts of the proceedings in this cause have
 24 been/have not been X ordered from the court reporter
 25 contemporaneously with the filing of this notice of appeal.
 26 4. That included herewith is the filing fee prescribed by the statute, or the
 27 affidavit to proceed without payment of the required filing fee prescribed
 28 in the Appendix of Forms as Form 3.

29 This appeal is not subject to the mediation process required by M. R.
 30 DATED this 30 day of November, 2018
 31 is/is not less than \$5000.

32 2. That this appeal is/is not X an appeal from an order certified as
 33 final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of
 34 the District Court's certification order is attached hereto as Exhibit "A".

35 3. That all available transcripts of the proceedings in this cause have
 36 been/have not been X ordered from the court reporter
 37 contemporaneously with the filing of this notice of appeal.
 38 4. That included herewith is the filing fee prescribed by the statute, or the
 39 affidavit to proceed without payment of the required filing fee prescribed
 40 in the Appendix of Forms as Form 3.

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CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, each court reporter from whom a transcript will be ordered, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Peg Allison (on November 23rd, 2018, via First Class U.S. Mail)

Clerk of Eleventh Judicial District Court

920 South Main Street, Suite 310

Kalispell, MT 59901

Martin S. King, Esq. (on November 26th, 2018 at 7:50pm, via email)

WORDEN THANE P.C.

Attorneys at Law

P.O. Box 4747

Missoula, MT 59806-4747

Attorney of Record for Defendant

Kristin Omvig (on November 26th, 2018 at 7:50pm, via email)

Rocky Mountain Law Partners

PO Box 1758

Kalispell, MT 59901

Council for 360 Reclaim, LLC

Attorney of Record for Defendant

Plaintiff William M. Russell's Notice of Appeal from District Court

In accord with Montana Supreme Court Appellate Filing Rules 10(1)(b); and 4(2), Any document filed by facsimile shall contain a statement of the date and time of the facsimile filing in the certificate of proof of service prescribed in section (4) of this rule. I hereby attest that this document is being faxed to the Montana Supreme Court Clerk's Office at 3:57 pm on the 30th day of November, 2018.

Dated this 30 day of November, 2018.


William M. Russell

PO Box 2703

Columbia Falls, MT 59912


midnightmopper@gmail.com

(406)309-5862

Defendant/Appellant, Pro Se

I hereby attest that this document is being faxed to the Montana Supreme Court Clerk's Office at 3:57 pm on the 30th day of November, 2018.

Dated this 30 day of November, 2018.


William M. Russell

PO Box 2703

Columbia Falls, MT 59912

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(406)309-5862

Defendant/Appellant, Pro Se

Plaintiff William M. Russell's Notice of Appeal from District Court