

07/22/2019

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 19-0077

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Attorneys for Plaintiffs/Appellees

IN THE SUPREME COUR OF THE STATE OF MONTANA

Supreme Court Case No. DA 19-0077

ALEXIS NUNEZ and)	
HOLLY McGOWAN,)	
)	
Plaintiffs/Appellees,)	
)	
vs.)	
)	
WATCHTOWER BIBLE AND)	
TRACT SOCIETY OF NEW YORK, INC.;)	
CHRISTIAN CONGREGATION OF)	
JEHOVAH'S WITNESSES and)	
THOMPSON FALLS)	
CONGREGATION OF)	
JEHOVAH'S WITNESSES,)	
)	
Defendants/Appellants,)	
)	
WATCHTOWER BIBLE AND)	
TRACT SOCIETY OF)	
NEW YORK, INC.;)	
CHRISTIAN CONGREGATION OF)	
JEHOVAH'S WITNESSES and)	

**APPELLEES' NOTICE
OF
CONSTITUTIONAL CHALLENGE**

THOMPSON FALLS)	
CONGREGATION OF)	
JEHOVAH’S WITNESSES)	
)	
Third-Party Plaintiffs/Appellants,)	
)	
vs.)	
)	
MAXIMO NAVA REYES and IVY)	
McGOWAN-CASTLEBERRY,)	
)	
Third-Party Defendants.)	

Pursuant to Mont. R. App. P. 27, Appellees notify the Court and the Attorney General that they challenge the \$10,000,000 cap on punitive damages under MCA § 27-1-220(3).

Appellees do not challenge the 3% of net worth statutory cap. Appellees previously notified the Attorney General of the potential constitutional challenge to the statutory cap by letter dated April 12, 2019.

A copy of this notice has been sent by email and U.S. mail to the Attorney General, to the attention of Matthew Cochenour and Stuart Segrest.

Dated this 22nd day of July, 2019.

/s/ James P. Molloy
Attorney for Appellee

CERTIFICATE OF SERVICE

I, James P. Molloy, hereby certify that I have served true and accurate copies of the foregoing Notice - Other to the following on 07-22-2019:

Kathleen L. DeSoto (Attorney)
Garlington, Lohn & Robinson
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Representing: Christian Congregation of Jehovah's Witnesses, Thompson Falls Congregation of Jehovah's Witnesses, Watchtower Bible & Tract Society of New York, Inc.

Service Method: eService

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Service Method: eService

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Service Method: Conventional

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Electronically Signed By: James P. Molloy

Dated: 07-22-2019