

Michael Green
Dale Schowengerdt
D. Wiley Barker
CROWLEY FLECK PLLP
100 North Park, Suite 300
P.O. Box 797
Helena, MT 59624-0797
Telephone: (406) 449-4165
mgreen@crowleyfleck.com
wbarker@crowleyfleck.com

Attorneys for Boyne USA, Inc.

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA 20-0319

DEPARTMENT OF REVENUE,)
STATE OF MONTANA,)
)
Appellant/Cross-Appellee,)
)
vs.)
)
BOYNE USA, INC.,)
)
Appellee/Cross-Appellant.)
)

NOTICE OF CROSS-APPEAL

NOTICE is given that Boyne USA, Inc. (“Boyne”), who is the petitioner in that cause of action filed in the Montana Fifth Judicial District, Madison County, as Cause No. DV-29-2019-48, hereby cross-appeals to the Montana Supreme Court a portion of the March 25, 2020, Order on Petitions for Judicial Review.

//

THE CROSS-APPELLANT FURTHER CERTIFIES:

1. That this cross-appeal is not subject to the mediation process required by Mont. R. App. P. 7.
2. That this cross-appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b).
3. That, upon information and belief, all available transcripts of the proceedings in this case involving the issue(s) cross-appealed have already been ordered from the court reporter for the District Court by the Montana Department of Revenue or are included in the administrative record provided by the Montana Tax Appeal Board.
4. That included herewith is the filing fee prescribed by statute.

DATED this 26th day of June, 2020.

CROWLEY FLECK PLLP

/s/ D. Wiley Barker
Michael Green
Dale Schowengerdt
D. Wiley Barker
Attorneys for Boyne USA, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of June 2020, I filed a true and accurate copy of the foregoing NOTICE OF CROSS-APPEAL with the Clerk of the Montana Supreme Court and that I have served true and accurate copies of the foregoing NOTICE OF CROSS-APPEAL via U.S. Mail, postage pre-paid, upon the Clerk of District Court and each attorney of record, as follows:

Karen J. Miller
Clerk of District Court
100 W Wallace St.
First Floor
P.O. Box 185
Virginia City, MT 597755

Brendan R. Beatty
Teresa Whitney
Special Assistant Attorneys General
MONTANA DEPARTMENT OF REVENUE
Legal Services Office
P.O. Box 7701
Helena, MT 59604-7701

/s/ D. Wiley Barker
CROWLEY FLECK PLLP

CERTIFICATE OF SERVICE

I, Wiley Barker, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Cross Appeal to the following on 06-26-2020:

Michael W. Green (Attorney)
900 North Last Chance Gulch, Suite 200
Helena MT 59601
Representing: Boyne USA, Inc.
Service Method: eService

Teresa Grace Whitney (Attorney)
125 N. Roberts
PO BOX 7701
Helena MT 59624-7701
Representing: Revenue, Department of
Service Method: eService

Brendan R. Beatty (Attorney)
P.O. Box 7701
Helena MT 59624
Representing: Revenue, Department of
Service Method: eService

Karen J. Miller (Clerk of District Court)
PO Box 185
Virginia City MT 59755
Service Method: eService
E-mail Address: KMiller@mt.gov

Electronically Signed By: Wiley Barker
Dated: 06-26-2020