

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. _____

JOSEPH RICHARD GOSS,

Plaintiff/Appellant,

v.

USAA CASUALTY INSURANCE COMPANY,
DIANN S. STEVENS, and DOES A-D, Inclusive

Defendant/Appellee.

NOTICE OF APPEAL

On appeal from the Montanan Eighth Judicial District, in and for the County of Cascade,
Cause No. DDV-18-0038; Honorable Gregory R. Todd

Attorneys for Plaintiff/Appellant Goss:

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Attorneys for Defendant Diann S. Stevens

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NOTICE is given that JOSEPH RICHARD GOSS, the Appellant above-named and who is the Plaintiff in that cause of action filed in the Eighth Judicial District, in and for the County of Cascade, as Cause No. DDV 2018-0038, hereby appeals to the Supreme Court of the State of Montana from the final judgment entered in such action on the 31st day of August, 2020.

THE APPELLANT FURTHER CERTIFIES:

1. This appeal is subject to the mediation process required by M.R.App.P. 7. The money judgment being sought is not less than \$5,000.

2. This appeal is not an appeal from an order certified as final under M.R.Civ.P. 54(b).

3. The individual Defendant, Diann Stevens, has been dismissed from this cause of action. See the Rule 41 Stipulation to Dismiss Defendant Diann Stevens attached as Exhibit A. As such, the August 31, 2020, Order (attached as Exhibit B) constitutes a final judgment under Rule 4, M.R.App.P.

4. There are no transcripts of the proceedings in this cause to be ordered as the District Court's summary judgment order was entered without oral argument.

5. Included herewith is the filing fee prescribed by statute.

Respectfully submitted this 22nd day of September, 2020.

/s/ Keith D. Marr

Keith D. Marr
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Attorneys for Plaintiff/Appellant

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, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Clerk of the Eighth Judicial District Court [X] Hand Delivery
Cascade County Courthouse
415 2nd Ave. N.
Great Falls, MT 59401

The Honorable Gregory R. Todd [X] U.S. Mail
Yellowstone County District Court [X] Email
P.O. Box 35026
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Attorneys for Defendant Diann S. Stevens

Dated this 22nd day of September, 2020.

/s/ Keith D. Marr

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P. O. Box 3028
Great Falls, MT 59403-3028
Attorneys for Plaintiff/Appellant

CERTIFICATE OF SERVICE

I, Keith D. Marr, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 09-22-2020:

David Matthew McLean (Attorney)
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Representing: USAA Casualty Insurance Co.
Service Method: eService

Susan Moriarity Miltko (Attorney)
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PO BOX 9440
Missoula MT 59807
Representing: Diann Stevens
Service Method: eService

Electronically Signed By: Keith D. Marr
Dated: 09-22-2020