

07/23/2021

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 21-0358

Amanda K. Roberts, MT Bar No. 9989
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Attorneys for Plaintiffs

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

CHRISTINA SCHMID and JENNIFER
 POWERS,

Plaintiffs / Appellants,

-vs-

JAE NOTTI, SUSIE NOTTI, and ET
 CATTLE COMPANY, LLC,

Defendants / Appellees.

NOTICE OF APPEAL

NOTICE is given that Plaintiffs Christina Schmid and Jennifer Powers, the Appellants above-named who are Plaintiffs in that cause of action filed in the Sixteenth Judicial District Court, in and for Powder River County, as Cause No. DV-38-2019-2587, hereby appeal to the Supreme Court of the State of Montana from prior judgments and orders and more specifically including Order Re: Motions for Summary Judgment entered on June 7, 2021. Defendants/Appellees filed a Notice of Entry of Judgment on or about June 24, 2021.

THE APPELLANTS FURTHER CERTIFY:

1. That this appeal ____ is/is not X subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought ____ is/is not ____ less than \$5,000.

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


3. That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.

4. That all available transcripts of the proceedings in this cause X have been / have not been _____ ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

DATED this 23rd day of July, 2021.

LONABAUGH AND RIGGS, LLP

By: 
Amanda K. Roberts, MT Bar No. 9989
J. Kyle Hendrickson, MT Bar No. 49397198
Attorney for Plaintiffs
P.O. Drawer 5059
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(307) 672-7444
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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, and each party not represented by an attorney in the above-referenced District Court action, as follows:

DATED this 23rd day of July, 2021.

Afton E. Ball
Jordan W. Fitzgerald
Moulton Bellingham PC
27 North 27th Street, Suite 1900
P.O. Box 2559
Billings, MT 59103-2559

Honorable Nickolas C. Murnion
P.O. Box 107
Forsyth, MT 59327

Sandra Blakesley
P.O. Box 107
Forsyth, MT 59327

Powder River Co. Clerk of District Court
Attn: Vanna Byrd
P.O. Box 200
Broadus, MT 59317


OF LONABAUGH AND RIGGS, LLP

CERTIFICATE OF SERVICE

I, Amanda Kay Roberts, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 07-23-2021:

Jordan Walter FitzGerald (Attorney)
27 North 27th Street, Suite 1900
P.O. Box 2559
Billings MT 59103-2559
Representing: Jae Notti, Susie Notti, ET Cattle Company, LLC
Service Method: eService

Afton Eva Ball (Attorney)
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P O Box 2559
27 North 27th Street, Suite 1900
Billings MT 59103
Representing: Jae Notti, Susie Notti, ET Cattle Company, LLC
Service Method: eService

Electronically Signed By: Amanda Kay Roberts
Dated: 07-23-2021