

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

W. Wayne Harper  
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Attorney for Appellants Rising Sun Estates, LLC and Jack McLeod

GRANITE COUNTY, MONTANA, a )  
political subdivision of the State of )  
Montana, )  
)  
Plaintiff and Counter Defendant,)

**NOTICE OF APPEAL**

v. )  
)  
)

RISING SUN ESTATES, LLC, JACK )  
McLEOD and JOHN DOES 1-5. )  
)  
Defendant/Counter Plaintiff.)

NOTICE is given that the Rising Sun Estates, LLC and Jack McLeod, the Appellant above-named and who are Defendants/Counter Plaintiffs in that cause of action filed in the Third Judicial District, in and for the County of Granite, as Cause No. DV-17-08, hereby appeals to the Supreme Court of the State of Montana from the "ORDER GRANTING MOTION FOR SUMMARY JUDGMENT" filed on September 29, 2021.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is subject to the mediation process required by M.R.App.P.  
7. The money judgment sought is not less than \$5,000.00
2. That this appeal is not an appeal from an order certified as final under M.R.Civ.P. 54(b).
3. That the notice required by M.R.App.P. 27 is not applicable to this appeal.
4. That there were no hearings or trial in this cause so there will be no transcripts ordered.
5. That included herewith is the filing fee prescribed by statute.

DATED this 18th day of November, 2021.

By: /s/ W. Wayne Harper  
W. Wayne Harper  
Harper Law  
Attorney for Appellants Rising  
Sun Estates, LLC and Jack  
McLeod

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice – Notice of Appeal to the following on 11-18-2021:

Blaine Bradshaw – County Attorney  
P.O. Box 489  
Drummond, Montana 59858  
Representing: Granite County, Montana

Jodine Lechman  
800 Main Street  
Anaconda, Montana 59711  
Service Method: Conventional  
E-mail Address: Jodine.Lechman@mt.gov

Electronically signed by Riann L. Gabel on behalf of W. Wayne Harper  
Date 11-18-2021

## CERTIFICATE OF SERVICE

I, Warren Wayne Harper, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 11-18-2021:

Blaine Cooper Bradshaw (Attorney)  
P.O. Box 489  
Philipsburg MT 59858  
Service Method: Conventional

Jodine Lechman  
800 Main St.  
Anaconda MT 59711  
Service Method: E-mail Delivery  
E-mail Address: Jodine.Lechman@mt.gov

Granite County, Montana (Appellee)  
220 Sansome Street  
P.O. Box 925  
Philipsburg MT 59858  
Representing: Self-Represented  
Service Method: Conventional

Electronically Signed By: Warren Wayne Harper  
Dated: 11-18-2021