

John D. Greef
ATTORNEY AT LAW
302 W. Main St.
Sidney, MT 59270
(406) 360-8117
Mediator

IN THE SUPREME COURT OF THE STATE OF MONTANA

JUANITA KINNEY and IMR, INC.,

Plaintiffs and Appellees,

ROBERT KINNEY,

Defendant and Appellant

Deceased.

DA 21-0488
0448

MEMORANDUM OF
SETTLEMENT AGREEMENT

Pursuant to the Montana Rules of Appellate Procedure and the Order of Appointment dated October 4, 2021, the parties participated in a mediation conducted by John D. Greef on the 16th day of November, 2019. The Plaintiffs and Appellees, hereinafter Juanita / IMR, INC., participated with their attorney, Jeff A. Turner, and the Defendant and Appellant, hereinafter Robert, participated with his attorney, Albert R. Batterman.

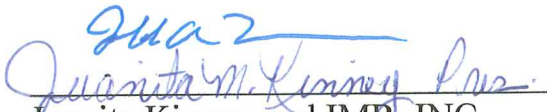
The parties have reached an agreement to settle all issues of the case on the following terms and conditions:

1. Robert agrees to pay Juanita / IMR, Inc. the sum of \$100,000 in cash on or before 60 days from the date hereof.
2. In consideration of the above payment, the pending appeal shall be dismissed in a timely manner upon receipt of the above payment.
3. The parties agree to mutually release each other from all claims, known and unknown, that each may have against the other on a release agreement substantially in compliance with a standard

MDTLA release agreement. This release agreement shall be executed in exchange for the \$100,000 cash payment.

4. The parties agree to mutually consent to an extension of the briefing schedule until the expiration of the 60 day time period and to forego on the execution of any pending writ of execution. If the cash payment is not timely made, the appeal process will carry forward and the writ of execution is enforceable unless otherwise stayed pending appeal.

Dated this 17 day of November, 2021.



Juanita Kinney and IMR, INC.
by Jeff A. Turner, attorney

Robert Kinney by Albert R.
Batterman, attorney

CERTIFICATE OF SERVICE

I, Jeff A Turner, hereby certify that I have served true and accurate copies of the foregoing Notice - Other to the following on 12-09-2021:

Albert R Batterman (Attorney)
P.O. Box 985
Baker MT 59313
Representing: Robert Kinney
Service Method: eService

Jeff A Turner (Attorney)
208 N Broadway Ste 324
PO Box 2502
Billings MT 59103
Service Method: eService
E-mail Address: jeff@hendricksonlawmt.com

Electronically Signed By: Jeff A Turner
Dated: 12-09-2021