

Erika R. Peterman
Sova, PLLC
Missoula, MT 59806
406-544-6350
Attorney for Defendant/Appellant

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court No. DA 21-0470

WILLIAM D. PRATT, individually and as
Managing Member of PRATT RANCH, LLC,
a Montana Limited Liability Company and
as Member of the PRATT COMMERCIAL
PROPERTY, LLC, a Montana Limited
Liability Company,

Plaintiff and Appellee,

v.

THOMAS A. PRATT, individually and as
a Member of PRATT RANCH, LLC,
a Montana Limited Liability Company and
as Member of the PRATT COMMERCIAL
PROPERTY, LLC, a Montana Limited
Liability Company,

Defendant and Appellant.

APPELLANT’S STATUS REPORT

COMES NOW, Defendant/Appellant Thomas Pratt (“Tom Pratt”), by and through his
attorney of record, Erika R. Peterman of Sova, PLLC and submits the following Status
Report:

1. On November 1, 2021, the undersigned contacted William Pratt's ("Bill Pratt") counsel, Kristin Omvig, Esq. of Rocky Mountain Law Partners, PC, inquiring if her client would consent to a M.R.App.P. 22 Stay pending appeal. *Ex. 1.* That same day, the undersigned's office also contacted PayneWest Insurance about whether it would issue a supersedeas bond to secure the *Final Judgment* entered on November 5, 2021 in Yellowstone County District Court.

2. After receiving no response from Bill Pratt's counsel, the undersigned again followed up on November 17, 2021, asking if her client would consent to the stay and if Tom could post alternative relief as security while the case was on appeal to this Court. Ms. Omvig stated that Bill would not consent to the stay and that Tom should follow the requirements in M.R.App.P. 22. *Ex. 1.*

3. On November 10, 2021, PayneWest advised that Travelers Insurance ("Travelers") was willing to consider a supersedeas bond for Tom Pratt, but that the bond process had specific collateral requirements. These requirements could only be satisfied by cash or a bank letter from an approved financial institution. As Tom's banks were local Montana banks and not "approved" financial institutions according to Travelers, a bank letter would not suffice. Tom was therefore required to provide collateral in the form of cash in an amount equal to the bond amount for Travelers to issue the bond. Travelers required the cash to be deposited with an approved financial institution, which was Morgan Stanley.

4. Tom immediately applied for a loan at Stockman Bank in the amount of \$487,000 in order to meet the bond requirements. His loan was approved and the funds

were wired to Morgan Stanley on or around November 19, 2021 as collateral for the bond.

5. On November 19, 2021, Defendant filed a *M.R.App.P. Rule 22 and M.R.Civ.P. 62(B) Motion for Stay, Request for Waiver of Supersedeas Bond and Supporting Brief*. At that time, it was unknown whether the bond would be fully or conditionally approved.

6. The bond was conditionally approved by Travelers on November 29, 2021. That same day, Tom filed a *Motion for Approval of Supersedeas Bond* as the bond requirements had been met and the bond had been conditionally approved by Travelers.

7. Unfortunately, the individual issuing the bond issued it in the wrong amount. As noted in PayneWest's *Affidavit* filed with the District Court, it used the total judgment amount and not the amount requested (\$487,000). A new bond was issued and an *Amended Motion for Stay and Approval of Bond* was filed with the District Court. *Dkt. 176*.

8. A balance of \$533,577.92 remained in the Special Master's trust account. This amount, plus the \$487,000 bond, was enough to secure the judgment amount of \$479,017.68, plus interest at 6.5% and costs on appeal.

9. The District Court denied Defendant's Motion for Stay and approval of the bond on December 9, 2021 (filed with the District Court on December 14, 2022). *Dkt. 179*.

10. On December 16, 2021, the parties entered into a Stipulation pursuant to M.R.App.P. 22(5)(a), agreeing to stay execution of judgment on the condition that Tom

would deposit the sum of \$400,000 with the Yellowstone County District Court pending appeal. The \$533,577.92 would also remain in the Special Master's trust account. The *Stipulation* was filed with this Court with Appellant's *Unopposed Motion for Relief From Order Denying Stay Under M.R.App.P. 22(2)*. This Court granted the *Motion* and approved the *Stipulation* on December 17, 2021.

11. On Thursday, December 16, 2021, after the parties stipulated to the stay, the District Court's *Order Denying the Stay and Approval of Bond* was emailed to the insurance agent at PayneWest so the collateral for the supersedeas bond could be released. It was the undersigned's understanding that this would happen quickly. The undersigned requested that the funds in the Morgan Stanley account – the \$487,000 used as collateral for the bond – be released immediately so Tom could use that money to deposit the \$400,000 in the District Court, per the *Stipulation*. Tom did not have an additional \$400,000 to deposit into the District Court.

12. A follow-up email was sent to PayneWest on December 20, 2021 where PayneWest confirmed receipt of the *Order Denying the Stay and Approval of Bond* and confirmed that the request to release the funds had been provided to Travelers. PayneWest was waiting on Travelers to process this request.

13. Between December 16, 2021 and January 6, 2022, the undersigned's office contacted PayneWest, Travelers and Morgan Stanley repeatedly in an effort to get the collateral released so the \$400,000 could be deposited with the District Court.

14. On December 28, 2021, the undersigned's office contacted Morgan Stanley inquiring whether the release of funds from Travelers had been received. The

undersigned's office was advised that all the employees in its surety department were gone until after the New Year. That same day, in an email to the undersigned and District Court Judge Todd, counsel for William Pratt stated that if Tom did not deposit the \$400,000 with the District Court within 24 hours that she would be filing a motion for relief from the *Stipulation*. *Ex. 2*.

15. The undersigned was out of the office for the Christmas holiday from December 23-28. On December 29, 2021, the undersigned was told by Travelers that the bond was being released and that the underwriter would work through the collateral release process today and "expected it to be resolved quickly". *Ex. 3*. At that point, it was expected that the funds would be made available immediately and deposited into District Court by December 31, 2021. This information was communicated to Bill Pratt's attorney. *Ex. 4*.

16. The undersigned also sent a copy of this Court's *Order Granting Unopposed Motion for Relief from Order Denying Stay Under Rule 22(2)* to District Court Judge Todd on December 29, 2021. *Ex. 5*.

17. The undersigned again advised William Pratt's counsel on December 30, 2021 of the reason for the deposit delay, that Travelers' employees were gone for the holidays, and the efforts that had been made to release the funds so they could be deposited in District Court. *Ex. 6*.

18. That same day, the undersigned's office contacted PayneWest to confirm Travelers had sent the collateral release confirmation to Morgan Stanley. Morgan Stanley advised that it needed specific instructions from Travelers on where to return the funds.

The undersigned's office provided these instructions to Morgan Stanley, and requested a branch check payable to Yellowstone County Clerk of Court in the amount of \$400,000.

19. On December 30, 2021 the undersigned's office again contacted Bill Pratt's counsel, and provided an email from PayneWest explaining the delay. In addition, the undersigned stated "we're doing everything we can to get the \$400K deposited into the district court but, due to the holidays, the department that releases the money is out this week so it doesn't look like it will be done until next week. We requested that the collateral be released prior to signing the stipulation and had no idea it would take this long." *Ex. 6.*

20. On January 3, 2021 counsel for William Pratt again stated that if the money was not deposited by January 7, 2021 that she would seek relief from the Stipulation. *Ex. 7.* That same day, the undersigned's office was informed by PayneWest that "the collateral is moving through the process".

21. On January 5, 2021, Morgan Stanley advised that it still had not received the release instructions for the funds.

22. On January 6, 2021, the undersigned's office was notified, for the first time, that a Letter of Authorization signed by Thomas Pratt was required in order to process the release of the funds. That letter was drafted, signed by Tom Pratt and sent back to Travelers the same day.

23. On January 7, 2022, the undersigned's office contacted Travelers again and was notified that the agent for Travelers may not be in the office due to weather on the East Coast and that she was not allowed to send the Letter of Authorization to Morgan

Stanley from her home. *Ex. 8.* The agent was able to make it to the office where the letter was then sent to Morgan Stanley and Morgan Stanley confirmed receipt of the letter.

24. The undersigned's office contacted the branch manager at the Billings Morgan Stanley office and advised her that she would be receiving a request to issue a branch check. In addition, the branch manager was advised that a runner would be coming to the Billings office to pick up the check so it could be immediately deposited with the District Court. She advised that she would be willing to stay after 4:00 p.m., if needed, to accomplish the delivery.

25. At approximately 3:00 p.m. on Friday, January 7, 2022, the undersigned's office received a phone call from Morgan Stanley stating that the Letter of Authorization sent on the previous day was deficient and it would not be able to have a runner pick up the check. Instead, Morgan Stanley stated it could issue a check to the District Court and overnight the check directly to District Court. As a result, a new authorization letter was drafted, requesting that Morgan Stanley issue a check to Yellowstone County District Court for \$400,000 and that it be overnighted directly to District Court.

26. That same day, the undersigned contacted Bill Pratt's attorney, again explaining the efforts to deposit the funds and the cause for delay. *Ex. 9.*

27. Mark Noennig, Esq., attorney for the Special Master, requested clarity regarding the bond issue. The undersigned did not realize that her response to Mark Noennig remained in her "Drafts" folder and was not sent until she was criticized by Appellee for not responding in Bill Pratt's *Status Report*. The subsequent communication with Mr. Noennig is attached as *Ex. 10.*

28. The funds were finally released on Monday, January 10, 2022, and the \$400,000 check sent via FedEx for overnight delivery to Yellowstone County District Court. *Ex. 11*. The tracking information was sent to Bill Pratt's counsel on January 10, 2022 and is attached. *Ex. 12*.

29. On January 10, 2022, counsel for Bill Pratt filed a Status Report that did not include any of the undersigned's efforts to communicate the delay nor the reason for the delay, which caused no harm or prejudice to either party.

30. The \$400,000 check was to be delivered on January 11, 2022 but, due to a FedEx pilot shortage resulting from the Omicron variant of the COVID-19 virus, it was not delivered until, January 13, 2022. *Ex. 12*. The receipt evidencing the deposit is attached as Exhibit 11. *Ex. 13*.

31. The terms of the *Stipulation* filed with this Court have been satisfied.

DATED this 14th day this January, 2022.

SOVA, PLLC

A handwritten signature in black ink, appearing to read 'E. Peterman', with a long horizontal flourish extending to the right.

Erika R. Peterman
Attorney for Defendant/Appellant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 14th day of January, 2022, a true and correct copy of the foregoing was delivered by email to the following:

Kristin Omgig
Rocky Mountain Law Partners
PO Box 1758
Kalispell, MT 59901
kristin@rmtlawp.com



From: [Kristin Omgig](#)
To: [Erika Peterman](#)
Cc: [Bruce Fredrickson](#); [Amanda Adams](#); [Ann Thamer](#)
Subject: RE: Rule 22 stay
Date: Wednesday, November 17, 2021 7:01:30 PM

Erika—we will not agree/consent to a Rule 22 stay. Please see Rule 22 in the event you seek to stay execution. Thank you.

Kristin L. Omgig | ATTORNEY OF COUNSEL

Rocky Mountain Law Partners, PC

Southfield Tower

1830 3rd Ave. East, Ste. 301

Box 1758

Kalispell, MT 59903

406-314-6011

fax: 406-314-6012

kristin@rmtlawp.com

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From: Erika Peterman <erika@sovapartners.com>
Sent: Wednesday, November 17, 2021 1:54 PM
To: Kristin Omgig <kristin@rmtlawp.com>
Cc: Bruce Fredrickson <bruce@rmtlawp.com>; Amanda Adams <amanda@sovapartners.com>
Subject: Fw: Rule 22 stay

Hi Kristin,

Following up on this as well.

Erika

From: Erika Peterman
Sent: Monday, November 1, 2021 12:39 PM
To: Kristin Omgig <kristin@rmtlawp.com>

Cc: Amanda Adams <amanda@sovapartners.com>

Subject: Rule 22 stay

Hi Kristin,

I was hoping you would be willing to consent to a Rule 22 Stay pending appeal. There should be enough money in the parties' accounts to securitize the order and it's important that those accounts remain as-is pending appeal, in order to prevent an accounting headache if this case is reversed. Tom can also post a bond or place a lis pendens on one of his properties. It seems to be in everyone's best interests to avoid spending more money briefing the stay at the district court level and potentially to the Supreme Court when there is plenty of security.

Alternatively, we could ask the mediator to help negotiate the terms of the stay if we can't agree.

Let me know your thoughts.

Thanks,
Erika

Erika Peterman

Creative Counsel

Sova | Sova Partners

406.544.6350

www.sovapartners.com

From: Kristin Omgig
Sent: Tuesday, December 28, 2021 2:04 PM
To: Todd, Gregory; Erika Peterman; mark@hendricksonlawmt.com
Cc: Ann Thamert; Bruce Fredrickson; Amanda Adams
Subject: RE: action of special master

Erika—In follow up to Judge Todd’s email, the Stipulation was based upon your client actually depositing additional funds with the District Court. Please deposit the additional \$400K with the District Court per our agreement and provide immediate confirmation of the same. In the event we do not receive confirmation of the deposit of \$400K in additional funds within 24 hours, we will seek relief from the Stipulation based upon your client’s failure to comply. We reserve the right to seek additional costs and fees, including but not limited to those incurred in connection with the Stipulation and relief therefrom. Thank you.

Kristin L. Omgig | ATTORNEY, OF COUNSEL
Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758
Kalispell, MT 59903
406-314-6011
fax: 406-314-6012
kristin@rmtlawp.com

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From: Todd, Gregory <GTodd@mt.gov>
Sent: Tuesday, December 28, 2021 1:22 PM
To: Kristin Omgig <kristin@rmtlawp.com>; Erika Peterman <erika@sovapartners.com>;
mark@hendricksonlawmt.com

Cc: Ann Thamert <ann@rmtlawp.com>; Todd, Gregory <GTodd@mt.gov>
Subject: RE: action of special master

Until I receive confirmation of the additional \$400,000.00 with the District Court Clerk, I cannot sign any order. Greg Todd

From: Kristin Omgig <kristin@rmtlawp.com>
Sent: Wednesday, December 22, 2021 10:16 AM
To: Erika Peterman <erika@sovapartners.com>; Todd, Gregory <GTodd@mt.gov>;
mark@hendricksonlawmt.com
Cc: Ann Thamert <ann@rmtlawp.com>
Subject: [EXTERNAL] RE: action of special master

Erika—please confirm actual deposit of the additional \$400K with the District Court. Thank you.

KLO.

Kristin L. Omgig | ATTORNEY, OF COUNSEL
Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758
Kalispell, MT 59903
406-314-6011
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From: Erika Peterman <erika@sovapartners.com>
Sent: Tuesday, December 21, 2021 3:31 PM
To: Todd, Gregory <GTodd@mt.gov>; Kristin Omgig <kristin@rmtlawp.com>;
mark@hendricksonlawmt.com
Subject: Re: action of special master

Judge Todd,

Attached is the Stipulation that was filed on Thursday, December 16, with the Montana Supreme Court, with an Unopposed Motion for Relief from your Order denying the stay. The Motion was granted and the Stipulation was approved on Friday, December 17.

Thank you,
Erika

From: Todd, Gregory <GTodd@mt.gov>

Sent: Tuesday, December 21, 2021 3:08 PM

To: kristin@rmtlawp.com <kristin@rmtlawp.com>; Erika Peterman <erika@sovapartners.com>;
mark@hendricksonlawmt.com <mark@hendricksonlawmt.com>

Cc: Todd, Gregory <GTodd@mt.gov>

Subject: action of special master

As I was getting ready to sign my order on the proposed action of the special master, I got a copy of defendant's objection. Please verify that there is a stipulation to waive the supersedeas bond on the condition that defendant deposits \$400,000.00 into the District Court as a condition of the stay in addition to \$533,577.92 remaining in the Special Master's trust account pending appeal. Please verify that a stipulation will be filed, with a copy emailed directly to me, no later than next Wednesday December 29th. Greg Todd

From: Denison, Thomas (MMA)
Sent: Wednesday, December 29, 2021 10:01 AM
To: Amanda Adams; Erika Peterman; Holthaus, Janet (MMA)
Subject: RE: Pratt Bond

Just received this response it looks like things are moving:

Hi Thomas,

I heard right back. The court document provided is sufficient to release the bond. Just as a reminder for the account, the full first year premium is fully earned, even if the bond was not accepted by the court. The mere issuance of a bond can affect negotiations which provides value immediately to litigants.

I will work through the collateral release process today and expect it to be resolved quickly. I'll get you a more firm eta today.



Thomas Denison, CLCS, CRIS
Account Manager. Business Insurance

tdenison@paynewest.com
(O) (509) 363-4016 (C – Tues-Fri) 509-290-9816

From: Amanda Adams <amanda@sovapartners.com>
Sent: Wednesday, December 29, 2021 8:45 AM
To: Denison, Thomas (MMA) <tdenison@paynewest.com>; Erika Peterman <erika@sovapartners.com>; Holthaus, Janet (MMA) <jholthaus@paynewest.com>
Subject: RE: Pratt Bond

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THANK YOU!

Amanda R. Adams
Paralegal | Bookkeeper

From: Denison, Thomas (MMA) <tdenison@paynewest.com>
Sent: Wednesday, December 29, 2021 9:44 AM
To: Erika Peterman <erika@sovapartners.com>; Amanda Adams <amanda@sovapartners.com>; Holthaus, Janet (MMA) <jholthaus@paynewest.com>
Subject: RE: Pratt Bond

Just got an email from the underwriter, they are connecting now with their legal department counterpart, should have more information later this morning.

Thanks for your patience.



Thomas Denison, CLCS, CRIS
Account Manager, Business Insurance

tdenison@paynewest.com
(O) (509) 363-4016 (C – Tues-Fri) 509-290-9816

From: Erika Peterman <erika@sovapartners.com>
Sent: Tuesday, December 28, 2021 2:16 PM
To: Denison, Thomas (MMA) <tdenison@paynewest.com>; Amanda Adams <amanda@sovapartners.com>; Holthaus, Janet (MMA) <jholthaus@paynewest.com>
Subject: Re: Pratt Bond

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Thank you!!!

From: Denison, Thomas (MMA) <tdenison@paynewest.com>
Sent: Tuesday, December 28, 2021 3:12 PM
To: Erika Peterman <erika@sovapartners.com>; Amanda Adams <amanda@sovapartners.com>; Holthaus, Janet (MMA) <jholthaus@paynewest.com>
Subject: RE: Pratt Bond

I will look into this now for you.



Thomas Denison, CLCS, CRIS
Account Manager, Business Insurance

tdenison@paynewest.com
(O) (509) 363-4016 (C – Tues-Fri) 509-290-9816

From: Erika Peterman <erika@sovapartners.com>
Sent: Tuesday, December 28, 2021 2:00 PM
To: Amanda Adams <amanda@sovapartners.com>; Holthaus, Janet (MMA)

<jholthaus@paynewest.com>

Subject: Re: Pratt Bond

Importance: High

CAUTION: This email originated outside the company. Do not click links or open attachments unless you are expecting them from the sender.

Hi Janet,

Sorry to bug you during the holiday week but we're under incredible pressure to get these funds released so we can deposit money with the district court. Can you please follow-up with Travelers? We thought this would be done last week.

Thanks in advance. I hope you are having a great holiday.

Best,
Erika

From: Amanda Adams

Sent: Tuesday, December 28, 2021 2:54 PM

To: 'Holthaus, Janet (MMA)' <jholthaus@paynewest.com>

Subject: RE: Pratt Bond

Janet – I just left you a voicemail, but thought I would follow up with an email. I spoke to Morgan Stanley just now and they advised they have not received anything from Travelers regarding releasing the funds. Can you please follow up with Travelers to see what the hold up is? We need to get these funds released. Thank you. Hope you had a great holiday!

Amanda R. Adams

Paralegal | Bookkeeper

From: Amanda Adams

Sent: Monday, December 20, 2021 1:49 PM

To: Holthaus, Janet (MMA) <jholthaus@paynewest.com>

Subject: RE: Pratt Bond

Thank you!

Amanda R. Adams

Paralegal | Bookkeeper

From: Holthaus, Janet (MMA) <jholthaus@paynewest.com>

Sent: Monday, December 20, 2021 1:34 PM

To: Amanda Adams <amanda@sovapartners.com>
Subject: RE: Pratt Bond

Hi Amanda,

I have sent everything over to the underwriter and am just waiting for them to do their thing.



Janet Holthaus
Account Manager, Surety

jholthaus@paynewest.com

(208) 424-2922

From: Amanda Adams <amanda@sovapartners.com>
Sent: Monday, December 20, 2021 1:19 PM
To: Holthaus, Janet (MMA) <jholthaus@paynewest.com>
Subject: Pratt Bond

CAUTION: This email originated outside the company. Do not click links or open attachments unless you are expecting them from the sender.

Hi Janet – I was just following up regarding the Pratt Bond. Did Traveler's send notice to Morgan Stanley? Thanks!

Amanda R. Adams
Paralegal | Bookkeeper
Sova | Sova Partners
amanda@sovapartners.com
sovapartners.com
Phone: [\(406\) 360-8597](tel:4063608597)

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From: Erika Peterman
Sent: Wednesday, December 29, 2021 1:25 PM
To: Kristin Omgig; bruce@rmtlawp.com
Cc: Amanda Adams
Subject: Fw: action of special master

Kristin,

We have been waiting for the insurance company that issued the supersedeas bond to release the collateral that was used for the bond, and includes the \$400,000 that will be deposited into the district court. It was our understanding that this would be done already and we have been following up with the insurance company every day. That said, it is our understanding that it will be done today so that we can deposit the check with the district court immediately. We did not anticipate this hiccup with the insurance company but I believe the holidays has delayed its response. Tom does not have an additional \$400K sitting around otherwise it would have been done already.

I anticipate that the funds will be deposited with the district court no later than Friday, but probably before. My apologies for the delay.

Erika

From: Kristin Omgig <kristin@rmtlawp.com>
Sent: Tuesday, December 28, 2021 2:04 PM
To: Todd, Gregory <GTodd@mt.gov>; Erika Peterman <erika@sovapartners.com>; mark@hendricksonlawmt.com <mark@hendricksonlawmt.com>
Cc: Ann Thamert <ann@rmtlawp.com>; Bruce Fredrickson <bruce@rmtlawp.com>; Amanda Adams <amanda@sovapartners.com>
Subject: RE: action of special master

Erika—In follow up to Judge Todd's email, the Stipulation was based upon your client actually depositing additional funds with the District Court. Please deposit the additional \$400K with the District Court per our agreement and provide immediate confirmation of the same. In the event we do not receive confirmation of the deposit of \$400K in additional funds within 24 hours, we will seek relief from the Stipulation based upon your client's failure to comply. We reserve the right to seek additional costs and fees, including but not limited to those incurred in connection with the Stipulation and relief therefrom. Thank you.

Kristin L. Omgig | ATTORNEY, OF COUNSEL

Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758
Kalispell, MT 59903
406-314-6011
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From: Todd, Gregory <GTodd@mt.gov>
Sent: Tuesday, December 28, 2021 1:22 PM
To: Kristin Omvig <kristin@rmtlawp.com>; Erika Peterman <erika@sovapartners.com>;
mark@hendricksonlawmt.com
Cc: Ann Thamert <ann@rmtlawp.com>; Todd, Gregory <GTodd@mt.gov>
Subject: RE: action of special master

Until I receive confirmation of the additional \$400,000.00 with the District Court Clerk, I cannot sign any order. Greg Todd

From: Kristin Omvig <kristin@rmtlawp.com>
Sent: Wednesday, December 22, 2021 10:16 AM
To: Erika Peterman <erika@sovapartners.com>; Todd, Gregory <GTodd@mt.gov>;
mark@hendricksonlawmt.com
Cc: Ann Thamert <ann@rmtlawp.com>
Subject: [EXTERNAL] RE: action of special master

Erika—please confirm actual deposit of the additional \$400K with the District Court. Thank you.

KLO.

Kristin L. Omvig | ATTORNEY, OF COUNSEL
Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758

Kalispell, MT 59903
406-314-6011
fax: 406-314-6012
kristin@rmtlawp.com

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From: Erika Peterman <erika@sovapartners.com>
Sent: Tuesday, December 21, 2021 3:31 PM
To: Todd, Gregory <GTodd@mt.gov>; Kristin Omgvig <kristin@rmtlawp.com>;
mark@hendricksonlawmt.com
Subject: Re: action of special master

Judge Todd,

Attached is the Stipulation that was filed on Thursday, December 16, with the Montana Supreme Court, with an Unopposed Motion for Relief from your Order denying the stay. The Motion was granted and the Stipulation was approved on Friday, December 17.

Thank you,
Erika

From: Todd, Gregory <GTodd@mt.gov>
Sent: Tuesday, December 21, 2021 3:08 PM
To: kristin@rmtlawp.com <kristin@rmtlawp.com>; Erika Peterman <erika@sovapartners.com>;
mark@hendricksonlawmt.com <mark@hendricksonlawmt.com>
Cc: Todd, Gregory <GTodd@mt.gov>
Subject: action of special master

As I was getting ready to sign my order on the proposed action of the special master, I got a copy of defendant's objection. Please verify that there is a stipulation to waive the supersedeas bond on the condition that defendant deposits \$400,000.00 into the District Court as a condition of the stay in addition to \$533,577.92 remaining in the Special Master's trust account pending appeal. Please verify that a stipulation will be filed, with a copy emailed directly to me, no later than next Wednesday December 29th. Greg Todd

From: Erika Peterman
Sent: Thursday, January 13, 2022 4:08 PM
To: Amanda Adams
Subject: Fw: action of special master

From: Erika Peterman <erika@sovapartners.com>
Sent: Wednesday, December 29, 2021 1:25 PM
To: Todd, Gregory <GTodd@mt.gov>; Kristin Omvig <kristin@rmtlawp.com>;
mark@hendricksonlawmt.com <mark@hendricksonlawmt.com>
Cc: Ann Thamert <ann@rmtlawp.com>
Subject: Re: action of special master

Thank you, Judge.

The Montana Supreme Court has already issued an *Order* granting relief from your Order denying the stay and directing that the funds in the Special Master's account not be distributed. That electronically signed Order is attached.

Sincerely,
Erika

Erika Peterman, Esq.
Partner
Sova | Sova Partners
406.544.6350
www.sovapartners.com

From: Todd, Gregory <GTodd@mt.gov>
Sent: Tuesday, December 28, 2021 1:21 PM
To: Kristin Omvig <kristin@rmtlawp.com>; Erika Peterman <erika@sovapartners.com>;
mark@hendricksonlawmt.com <mark@hendricksonlawmt.com>
Cc: Ann Thamert <ann@rmtlawp.com>; Todd, Gregory <GTodd@mt.gov>
Subject: RE: action of special master

Until I receive confirmation of the additional \$400,000.00 with the District Court Clerk, I cannot sign any order. Greg Todd

From: Kristin Omgig <kristin@rmtlawp.com>
Sent: Wednesday, December 22, 2021 10:16 AM
To: Erika Peterman <erika@sovapartners.com>; Todd, Gregory <GTodd@mt.gov>;
mark@hendricksonlawmt.com
Cc: Ann Thamert <ann@rmtlawp.com>
Subject: [EXTERNAL] RE: action of special master

Erika—please confirm actual deposit of the additional \$400K with the District Court. Thank you.

KLO.

Kristin L. Omgig | ATTORNEY, OF COUNSEL
Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758
Kalispell, MT 59903
406-314-6011
fax: 406-314-6012
kristin@rmtlawp.com

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From: Erika Peterman <erika@sovapartners.com>
Sent: Tuesday, December 21, 2021 3:31 PM
To: Todd, Gregory <GTodd@mt.gov>; Kristin Omgig <kristin@rmtlawp.com>;
mark@hendricksonlawmt.com
Subject: Re: action of special master

Judge Todd,

Attached is the Stipulation that was filed on Thursday, December 16, with the Montana Supreme Court, with an Unopposed Motion for Relief from your Order denying the stay. The Motion was granted and the Stipulation was approved on Friday, December 17.

Thank you,

From: Erika Peterman
Sent: Thursday, December 30, 2021 5:03 PM
To: Kristin Omvig; bruce@rmtlawp.com
Cc: Amanda Adams
Subject: Fw Thomas Pratt

Kristin,

I'm forwarding you an email from the insurance company re: the release of the bond money, as I discussed in my last email. Please understand that we're doing everything we can to get the \$400K deposited into the district court but, due to the holidays, the department that releases the money is out this week so it doesn't look like it will be done until next week. We requested that the collateral be released prior to signing the stipulation and had no idea it would take this long.

Thanks,
Erika

Erika Peterman, Esq.
Partner
Sova | Sova Partners
406.544.6350
www.sovapartners.com

From: Holthaus, Janet (MMA) <jholthaus@paynewest.com>
Sent: Thursday, December 30, 2021 4:04 PM
To: Erika Peterman <erika@sovapartners.com>
Subject: Thomas Pratt

Hi Erika,

I just wanted to touch base on the collateral. As we discussed on the phone, the collateral release is not an instant happening. The court documents were submitted to my underwriter and she had to submit those to Travelers collateral department and legal department for review.

I am not sure all of the steps that the collateral and legal departments must take in order to move the process forward, but as you know they must do their due diligence.

My underwriter has requested for this to be expedited as much as is possible, however, the collateral department was not in this week and will not return until Monday. She, my underwriter, is hoping for this to process next week.

I am so sorry for the frustration.

PayneWest Insurance,
A Marsh & McLennan Agency LLC company

Janet Holthaus
Account Manager, Surety

960 Broadway Ave., Ste. 500
Boise, ID 83706

jholi_aus@paynewest.com
[\(208\)424-2922](tel:(208)424-2922)

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Please note that coverage cannot be bound or altered by sending an email. You must speak with or receive written confirmation from a licensed representative of our firm to put coverage in force or make changes to your existing program. Thank you.

From: Kristin Omgig
Sent: Monday, January 3, 2022 2:38 PM
To: Erika Peterman; Bruce Fredrickson
Cc: Amanda Adams; Ann Thamert; mark@hendricksonlawmt.com
Subject: RE: Fw Thomas Pratt

Erika—our stipulation was based upon you/your client’s representation that he would deposit an additional \$400k with the District Court. There were no conditions, “what-if’s” or additional perks attached. If it is not deposited by close of business on Friday, January 7, 2022, we will ask for relief from the Stipulation and proceed accordingly. Thank you.

Kristin L. Omgig | ATTORNEY, OF COUNSEL
Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758
Kalispell, MT 59903
406-314-6011
fax: 406-314-6012
kristin@rmtlawp.com

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From: Erika Peterman <erika@sovapartners.com>
Sent: Thursday, December 30, 2021 5:03 PM
To: Kristin Omgig <kristin@rmtlawp.com>; Bruce Fredrickson <bruce@rmtlawp.com>
Cc: Amanda Adams <amanda@sovapartners.com>
Subject: Fw Thomas Pratt

Kristin,

I'm forwarding you an email from the insurance company re: the release of the bond money, as I discussed in my last email. Please understand that we're doing everything we can to get the

\$400K deposited into the district court but, due to the holidays, the department that releases the money is out this week so it doesn't look like it will be done until next week. We requested that the collateral be released prior to signing the stipulation and had no idea it would take this long.

Thanks,
Erika

Erika Peterman, Esq.

Partner

Sova | Sova Partners

406.544.6350

www.sovapartners.com

From: Holthaus, Janet (MMA) <jholthaus@paynewest.com>

Sent: Thursday, December 30, 2021 4:04 PM

To: Erika Peterman <erika@sovapartners.com>

Subject: Thomas Pratt

Hi Erika,

I just wanted to touch base on the collateral. As we discussed on the phone, the collateral release is not an instant happening. The court documents were submitted to my underwriter and she had to submit those to Travelers collateral department and legal department for review.

I am not sure all of the steps that the collateral and legal departments must take in order to move the process forward, but as you know they must do their due diligence.

My underwriter has requested for this to be expedited as much as is possible, however, the collateral department was not in this week and will not return until Monday. She, my underwriter, is hoping for this to process next week.

I am so sorry for the frustration.

PayneWest Insurance,
A Marsh & McLennan Agency LLC company

960 Broadway Ave., Ste. 500
Boise, ID 83706

Janet Holthaus
Account Manager, Surety

jholthaus@paynewest.com
(208).424.2922

From: Nowik, Anna
Sent: Friday, January 7, 2022 7:00 AM
To: Amanda Adams
Cc: Erika Peterman; Harris, Laura A
Subject: RE: Authorization letter

I was waiting the whole day to get the wire instructions yesterday, but I received them after working hours.

The roads are very bad and I am not sure if I will be able to go into the office. I try little later. The snow is still falling we have about 9 inches now.

Anna P. Nowik | Sr. Financial Consultant | Bond & Specialty Insurance
Travelers
One Tower Square | S207B
Hartford, CT 06183
W: [860.277.2796](tel:860.277.2796) F: [877.872.4815](tel:877.872.4815)



From: Amanda Adams <amanda@sovapartners.com>
Sent: Friday, January 07, 2022 8:52 AM
To: Nowik, Anna <ANOWIK@travelers.com>
Cc: Erika Peterman <erika@sovapartners.com>; Harris, Laura A <LAHARRI2@travelers.com>
Subject: [External] Re: Authorization letter

***** External Sender - Please Exercise Caution *****

Good morning...I spoke with Morgam Stanley and they advised they can issue a branch check.

It is imperative that this letter get sent to Morgan Stanley as soon as possible. We have an agreemt in place with opposing counsel and have been waiting several weeks (before Christmas) now to get these funds released so we can comply with our agreement.

Amanda R. Adams
[406.360.8597](tel:406.360.8597)

From: Nowik, Anna <ANOWIK@travelers.com>
Sent: Friday, January 7, 2022, 2:59 AM
To: Amanda Adams
Cc: Erika Peterman; Harris, Laura A
Subject: RE: Authorization letter

Amanda,
I received the wire instructions from Mr. Pratt after my working hours.
Today we have a snow storm and I hope that I will be able to go into the office later.

I can't send the authorization letter from home it must be from the office.
I will let you know if I am able to go to the office once the roads are better.

Also, since instructions are for MS to issue a counter/branch check in the amount of \$400,000.00 I do not know if they are able to do this.

I will use the instructions as provided by Mr. Pratt on the authorization letter to MS and will see if MS will be able to issue a check.

When MS collateral is released we always ask for all collateral plus interest to be wired to the customers account and this is different.

Thank you,

Anna P. Nowik | Sr. Financial Consultant | Bond & Specialty Insurance
Travelers
One Tower Square | S207B
Hartford, CT 06183
W: 860.277.2796 F: 877.872.4815



From: Amanda Adams <amanda@sovapartners.com>
Sent: Thursday, January 06, 2022 3:52 PM
To: Nowik, Anna <ANOWIK@travelers.com>
Cc: Erika Peterman <erika@sovapartners.com>
Subject: [External] RE: Authorization letter

***** External Sender - Please Exercise Caution *****

Anna – sorry for my additional email, but we need this submitted to Morgan Stanley today. Please confirm.

Amanda R. Adams
Paralegal | Bookkeeper

From: Thomas Pratt <tompratt1000@gmail.com>
Sent: Thursday, January 6, 2022 1:42 PM
To: anowik@travelers.com
Cc: Erika Peterman <erika@sovapartners.com>; Amanda Adams <amanda@sovapartners.com>
Subject: Authorization letter

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TRVDiscDefault::1201

From: Erika Peterman
Sent: Friday, January 7, 2022 4:43 PM
To: Kristin Omgig; Bruce Fredrickson
Cc: Amanda Adams; Ann Thamert
Subject: Re: Fw Thomas Pratt

Kristin,

When we signed the stipulation in mid-December we were told by Travelers Insurance, the company that issued the supersedeas bond, that the collateral for the bond - almost \$500K - would be released. As I have said before, Tom does not have an additional \$400K in liquid funds so \$400K from this collateral was/is being deposited into the district court. Although there was no date for the deposit on the stipulation, it was always our intent to make the deposit immediately. This money is sitting in a Morgan Stanley account but must be ordered "released" by Travelers. We believed this would happen right away and it would not be in issue, which I previously communicated to you.

Since that time, and as I have explained to you previously, we have called and emailed both Travelers and Morgan Stanley dozens of times but, because of the significant paperwork and rules associated with releasing collateral for a bond which I can't even begin to explain, plus the holidays where Travelers' collateral department was gone for a week, it has taken much longer than I could have ever imagined it would. When you sent your email on Monday stating that you would be filing a motion if we did not have the funds deposited by today, January 7, I had no concerns that we could not get it done because we had been told by Travelers and Morgan Stanley that it would. In fact, just a couple of hours ago, Morgan Stanley said they were issuing the check, to be made out to Yellowstone County District Court, and we had a runner ready to pick it up and deposit it. I can show you that email if you'd like. However, we were told within the last hour, for the first time, that its Billings office is closed and that they can't give the check to our runner. Instead, Morgan Stanley said that they could FedEx the check straight to the district court, but not until next week.

I'm currently drafting an Affidavit explaining the situation and attaching all of my office's communications with both Travelers and Morgan Stanley. I understand that you may feel it is necessary to file a motion with the Supreme Court but I believe the delay is excusable and that there is no issue of your client being harmed or prejudiced. We are doing everything we can to get this accomplished.

Thanks,
Erika

From: Kristin Omgig <kristin@rmtlawp.com>
Sent: Monday, January 3, 2022 2:38 PM
To: Erika Peterman <erika@sovapartners.com>; Bruce Fredrickson <bruce@rmtlawp.com>
Cc: Amanda Adams <amanda@sovapartners.com>; Ann Thamert <ann@rmtlawp.com>;
mark@hendricksonlawmt.com <mark@hendricksonlawmt.com>
Subject: RE: Fw Thomas Pratt

Erika—our stipulation was based upon you/your client’s representation that he would deposit an additional \$400k with the District Court. There were no conditions, “what-if’s” or additional perks attached. If it is not deposited by close of business on Friday, January 7, 2022, we will ask for relief from the Stipulation and proceed accordingly. Thank you.

Kristin L. Omgig | ATTORNEY, OF COUNSEL
Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758
Kalispell, MT 59903
406-314-6011
fax: 406-314-6012
kristin@rmtlawp.com

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From: Erika Peterman <erika@sovapartners.com>
Sent: Thursday, December 30, 2021 5:03 PM
To: Kristin Omgig <kristin@rmtlawp.com>; Bruce Fredrickson <bruce@rmtlawp.com>
Cc: Amanda Adams <amanda@sovapartners.com>
Subject: Fw Thomas Pratt

Kristin,

I'm forwarding you an email from the insurance company re: the release of the bond money, as I discussed in my last email. Please understand that we're doing everything we can to get the \$400K deposited into the district court but, due to the holidays, the department that releases the money is out this week so it doesn't look like it will be done until next week. We requested

that the collateral be released prior to signing the stipulation and had no idea it would take this long.

Thanks,
Erika

Erika Peterman, Esq.
Partner
Sova | Sova Partners
406.544.6350
www.sovapartners.com

From: Holthaus, Janet (MMA) <jholthaus@paynewest.com>
Sent: Thursday, December 30, 2021 4:04 PM
To: Erika Peterman <erika@sovapartners.com>
Subject: Thomas Pratt

Hi Erika,

I just wanted to touch base on the collateral. As we discussed on the phone, the collateral release is not an instant happening. The court documents were submitted to my underwriter and she had to submit those to Travelers collateral department and legal department for review.

I am not sure all of the steps that the collateral and legal departments must take in order to move the process forward, but as you know they must do their due diligence.

My underwriter has requested for this to be expedited as much as is possible, however, the collateral department was not in this week and will not return until Monday. She, my underwriter, is hoping for this to process next week.

I am so sorry for the frustration.



Janet Holthaus
Account Manager, Surety

jholthaus@paynewest.com
(208) 424-2922

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Please note that coverage cannot be bound or altered by sending an email. You must speak with or receive written confirmation from a licensed representative of our firm to put coverage in force or make changes to your existing program. Thank you.

From: Erika Peterman
Sent: Thursday, January 13, 2022 4:17 PM
To: Amanda Adams
Subject: Fw: Fw Thomas Pratt

From: Mark Noennig <mark@hendricksonlawmt.com>
Sent: Monday, January 10, 2022 8:23 PM
To: Erika Peterman <erika@sovapartners.com>
Subject: Re: Fw Thomas Pratt

I think you and I are using different terminology. I do not understand cash collateral being released to the court. It is posted with a surety (insurance company) to secure a bond. If the cash is deposited with the court, rather than in an account to secure the bond, there is no need for an insurance company to issue the bond.

No need for me to beat this to death. Maybe we can have a conversation in the future if it does not become clear to me and maybe clear that up.

Sent from my iPhone

On Jan 10, 2022, at 5:27 PM, Erika Peterman <erika@sovapartners.com> wrote:

Thanks, Mark. Actually, it was the insurance company telling Morgan Stanley that those funds could be released. Judge Todd denied the bond and the stay. Kristin ultimately agreed to the stay on the condition that Tom deposit an additional \$400K into the district court so I filed an unopposed motion for relief from Judge Todd's order with a stipulation with the Supreme Court which now has jurisdiction. We were told that the collateral would be released quickly but they just released it and it was overnighted to district court today.

Erika

From: Mark Noennig <mark@hendricksonlawmt.com>
Sent: Monday, January 10, 2022 5:16 PM
To: Erika Peterman <erika@sovapartners.com>
Subject: RE: Fw Thomas Pratt

So I guess by releasing the collateral you mean the broker releasing the cash to the bonding company's account. That is what I anticipated would need to be done for a bond. I think you need to get the bond (the document from the insurance company)

approved by the court. Be sure it covers all of the liability required by the rule (just a heads up – trying to help get this done).

From: Erika Peterman <erika@sovapartners.com>
Sent: Monday, January 10, 2022 5:07 PM
To: Mark Noennig <mark@hendricksonlawmt.com>
Subject: Re: Fw Thomas Pratt

Hi Mark,

The insurance company wouldn't issue the bond without sufficient collateral and it needed the collateral to be cash, not property, etc. Tom had to take out a line of credit and deposit it into an account before they would issue the bond. I have no idea why they required this but it was not an easy process. Equally painful has been the process of releasing the collateral which just happened today.

I left you a message at your office to discuss.

Thanks,
Erika

From: Mark Noennig <mark@hendricksonlawmt.com>
Sent: Monday, January 10, 2022 4:18 PM
To: Erika Peterman <erika@sovapartners.com>
Subject: RE: Fw Thomas Pratt

Thanks, Erika. I still do not understand why there is a cash bond from an insurance company. But perhaps you have covered that with Kristin. The bond is usually a document from an insurance company saying they will be good for any damages. A cash bond is just that, money deposited in lieu of a bond. If the insurance company issues a bond they typically (now) ask for collateral (usually cash) which they keep to secure the bond they write. At least this has been my experience. You may now see why I was confused when you say they are releasing collateral and delivering cash. That makes no sense to me but I may be way off base.

Mark

From: Erika Peterman <erika@sovapartners.com>
Sent: Monday, January 10, 2022 4:00 PM
To: Mark Noennig <mark@hendricksonlawmt.com>
Subject: Fw: Fw Thomas Pratt

Mark,

I thought I had responded to you but just found my response in a drafts folder. It was not my intention to ignore you.

Thanks,
Erika

From: Kristin Omgig <kristin@rmtlawp.com>
Sent: Monday, January 10, 2022 2:20 PM
To: Erika Peterman <erika@sovapartners.com>; Bruce Fredrickson <bruce@rmtlawp.com>
Cc: Amanda Adams <amanda@sovapartners.com>; Ann Thamert <ann@rmtlawp.com>; mark@hendricksonlawmt.com <mark@hendricksonlawmt.com>; Kim Enkerud <kim@rmtlawp.com>
Subject: RE: Fw Thomas Pratt

Erika—while I can appreciate your attempt to yet again explain why our client’s judgment remains unsecured, the simple truth is, this is yet another instance of you/your client failing to abide by Court orders. Interestingly, this Order is one that you/your client actually suggested and stipulated to before the Montana Supreme Court, but have still failed to satisfy. Time after time, the District Court has issued orders which you/prior counsel/your client have disregarded. This case is fraught with the Court or Special Master issuing orders directing your client to do something (i.e. produce discovery, file pleadings, etc.) which he simply disobeyed. He was provided multiple opportunities to correct his disobedience. And, he simply failed often without explanation. And there were instances that despite the Court’s in camera review of our client’s financial records, and an order disallowing you from violating our client’s privacy rights by digging into his financial information, you submitted discovery requests AFTER THE FACT for the same information you had been told by Court’s order you were not entitled to receive requiring us to move for protection therefrom. This conduct has caused fees to increase substantially. As a result of the habitual violations, the District Court rightfully imposed Rule 37(d) sanctions and awarded our client a portion of his fees due to the vexatious litigation tactics.

To suggest that there was no time limit within which your client needed to deposit the agreed upon additional \$400K and that our client is not being harmed by remaining unsecured is absurd. Rest

assured if you had represented that your client may (or may not) post the additional monies or needed months to post the same, we would NOT have agreed to the stipulation. The Court entered its Final Judgment on November 5, 2021. Under the Rules, we were entitled to begin execution proceedings within 14 days. First, you sought to waive the bond. Then, you attempted to post a bond in an insufficient amount. The District Court denied both of those requests. We have attempted to work with you and agreed to stay execution pending deposit of the additional \$400K. On January 3, 2022, Mark Noennig inquired about the bond issue. You simply ignored him. Now, almost a month after the Court approved the stipulation and nearly 2 months after which we could have executed on the Final Judgment, our client remains unsecured and we continue to receive empty "promises". Given prior conduct, our concerns are reasonable.

Kristin L. Omgig | ATTORNEY, OF COUNSEL
Rocky Mountain Law Partners, PC
Southfield Tower
1830 3rd Ave. East, Ste. 301
Box 1758
Kalispell, MT 59903
406-314-6011
fax: 406-314-6012
kristin@rmtlawp.com

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From: Erika Peterman <erika@sovapartners.com>
Sent: Friday, January 7, 2022 4:44 PM
To: Kristin Omgig <kristin@rmtlawp.com>; Bruce Fredrickson <bruce@rmtlawp.com>
Cc: Amanda Adams <amanda@sovapartners.com>; Ann Thamert <ann@rmtlawp.com>
Subject: Re: Fw Thomas Pratt

Kristin,

When we signed the stipulation in mid-December we were told by Travelers Insurance, the company that issued the supersedeas bond, that the collateral for the bond - almost \$500K - would be released. As I have said before, Tom does not have an additional \$400K in liquid funds so \$400K from this collateral was/is being deposited into the district court. Although there was no date for the deposit on the stipulation, it was always our intent to make the deposit immediately. This money is sitting in a Morgan Stanley account but must be ordered "released" by Travelers. We believed this would happen right away and it would not be in issue, which I previously communicated to you.

Since that time, and as I have explained to you previously, we have called and emailed both Travelers and Morgan Stanley dozens of times but, because of the significant paperwork and rules associated with releasing collateral for a bond which I can't even begin to explain, plus the holidays where Travelers' collateral department was gone for a week, it has taken much longer than I could have ever imagined it would. When you sent your email on Monday stating that you would be filing a motion if we did not have the funds deposited by today, January 7, I had no concerns that we could not get it done because we had been told by Travelers and Morgan Stanley that it would. In fact, just a couple of hours ago, Morgan Stanley said they were issuing the check, to be made out to Yellowstone County District Court, and we had a runner ready to pick it up and deposit it. I can show you that email if you'd like. However, we were told within the last hour, for the first time, that its Billings office is closed and that they can't give the check to our runner. Instead, Morgan Stanley said that they could FedEx the check straight to the district court, but not until next week.

I'm currently drafting an Affidavit explaining the situation and attaching all of my office's communications with both Travelers and Morgan Stanley. I understand that you may feel it is necessary to file a motion with the Supreme Court but I believe the delay is excusable and that there is no issue of your client being harmed or prejudiced. We are doing everything we can to get this accomplished.

Thanks,
Erika

From: Kristin Omvig <kristin@rmtlawp.com>
Sent: Monday, January 3, 2022 2:38 PM
To: Erika Peterman <erika@sovapartners.com>; Bruce Fredrickson <bruce@rmtlawp.com>



TRACK ANOTHER SHIPMENT

288583426406



ADD NICKNAME

Delivered
Thursday, 1/13/2022 at 11:24 am



DELIVERED

Signed for by: L.KIMMERLY

GET STATUS UPDATES

OBTAIN PROOF OF DELIVERY

FROM

Hartford, CT US

TO

BILLINGS, MT US

MANAGE DELIVERY

Travel History

TIME ZONE

Local Scan Time



Thursday, January 13, 2022

11:24 AM	BILLINGS, MT	Delivered
9:06 AM	BILLINGS, MT	On FedEx vehicle for delivery
8:19 AM	BILLINGS, MT	At local FedEx facility
7:17 AM	BILLINGS, MT	At destination sort facility
4:12 AM	MEMPHIS, TN	Departed FedEx hub

Monday, January 10, 2022

10:35 PM	WINDSOR LOCKS, CT	Left FedEx origin facility
5:04 PM	WINDSOR LOCKS, CT	Picked up
2:49 PM		Shipment information sent to FedEx

EXHIBIT 11

[Collapse History](#) ^

Shipment Facts

TRACKING NUMBER

288583426406

SERVICE

FedEx Standard Overnight

WEIGHT

0.5 lbs / 0.23 kgs

DIMENSIONS

1x1x1 in.

DELIVERED TO

Mailroom

TOTAL PIECES

1

TOTAL SHIPMENT WEIGHT

0.5 lbs / 0.23 kgs

TERMS

Shipper

SHIPPER REFERENCE

100612-94VLL


PACKAGING

FedEx Envelope


SPECIAL HANDLING SECTION

Deliver Weekday


SHIP DATE

1/10/22 

STANDARD TRANSIT

1/11/22 before 4:30 pm 

ACTUAL DELIVERY

1/13/22 at 11:24 am 

From: Erika Peterman
Sent: Monday, January 10, 2022 3:37 PM
To: Kristin Omgig; bruce@rmtlawp.com
Cc: Thamert, Ann; Amanda Adams
Subject: Fw: Pratt

Kristin,

Attached is the label/tracking info for the check that was overnighted to Yellowstone County Clerk of Court from Morgan Stanley. I will send you confirmation from district court once it is received.

Thanks,
Erika

From: Giuliani, Antonio <Antonio.Giuliani@morganstanley.com>
Sent: Monday, January 10, 2022 2:00 PM
To: Amanda Adams <amanda@sovapartners.com>
Subject: RE: Pratt

Thank you for confirming and attached is the tracking number.

Best Regards,

Antonio Giuliani, Registered Associate
Morgan Stanley Private Wealth Management
225 Asylum St., 14th Floor, Hartford, CT 06103
Office: 1-860-275-0778 | Fax 860-269-0840
Antonio.Giuliani@morganstanley.com
www.morganstanleypwa.com/thenevillegroup 

ORIGIN ID JKAA 18802750778
ANTONIO GIULIANI
MORGAN STANLEY
225 ASYLUM STREET
14TH FLOOR
HARTFORD, CT 06103
UNITED STATES US

SHIP DATE: 10JAN22
ACTWGT: 0.50 LB
CAD: 250724997AWSX03400
DIMS 1x1x1 IN
BILL SENDER

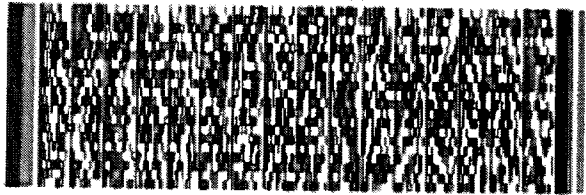
TO COUNTY CLERK
YELLOWSTONE COUNTY CLERK OF COURT
217 N 27TH ST

BILLINGS MT 59101

(406) 256-2785

REF: 100612/44.V.1

SCULLY@HFEA



TUE - 11 JAN 4:30P

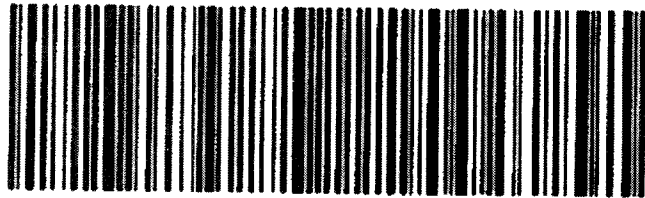
STANDARD OVERNIGHT

TRK# 0201

2885 8342 6406

XH BILA

59101
MT-US BIL



Yellowstone District Court
District Court
Receipt No. 208750
Receipt Date: 01/13/2022 01:43 PM

Received of: Morgan Stanley, \$ 400000.00
On Behalf of Thomas A Pratt

Four Hundred Thousand and 00/100

DV-56-2019-0001506-PA

Case: DV-56-2019-0001506-PA Defendant:

Bond Payment 400000.00

Check (Num: 300316600, Exp: xx/xx)
Amount Tendered: 400000.00
Overage: 0.00
Change Due: 0.00

Terry Halpin, Clerk of District Court / Public Administrator

By: _____
Deputy Clerk
Clerk: ADEGELE

EXHIBIT 13

CERTIFICATE OF SERVICE

I, Erika Rae Peterman, hereby certify that I have served true and accurate copies of the foregoing Notice - Other to the following on 01-14-2022:

Kristin L. Omgig (Attorney)
1830 3rd Ave E. Ste. 301
P.O. Box 1758
Kalispell MT 59903
Representing: William D. Pratt
Service Method: eService

Electronically signed by Amanda Adams on behalf of Erika Rae Peterman
Dated: 01-14-2022