

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Case No. _____

MONTANA ENVIRONMENTAL INFORMATION CENTER and SIERRA CLUB,

Plaintiffs / Appellees,

v.

WESTERN ENERGY CO., NATURAL RESOURCE PARTNERS, L.P.,
INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 400, and
NORTHERN CHEYENNE COAL MINERS ASSOCIATION,

Respondent-Intervenors / Appellants.

*On Appeal From The Sixteenth Judicial District Court,
Rosebud County, Hon. Katherine M. Bidegaray, Presiding
Cause No. DV 19-34*

NOTICE OF TRANSCRIPTS DEEMED NECESSARY FOR APPEAL

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Attorneys for Respondent-Intervenors / Appellants Westmoreland Rosebud Mining, LLC f/k/a Western Energy Co., Natural Resource Partners, L.P., International Union of Operating Engineers, Local 400, and Northern Cheyenne Coal Miners Association

Notice is given that Westmoreland Rosebud Mining, LLC, f/k/a Western Energy Co., Natural Resource Partners, L.P., International Union of Operating Engineers, Local 400, and Northern Cheyenne Coal Miners (together, Appellants), in the above-named case, hereby determine the following transcripts are necessary for appeal.

- ☐ No transcripts are necessary
- ☐ Jury Voir Dire
- ☐ Opening Statements
- ☐ Closing Arguments
- ☐ Trial Proceedings (all testimony, in-chambers discussions and jury verdict)
- ☒ Pretrial Proceedings (specify by description and date of proceeding)

Transcript of Proceedings - Motions Hearing, December 16, 2020

- ☐ Post-Trial Proceedings
- ☒ Other (specify by description and date of proceeding)

Any Available Transcripts

- ☐ The following transcripts have been previously prepared and are deemed necessary on appeal and appellant requests the court reporter prepare such transcripts in the proper format for filing with the supreme court and service on Appellees (specify by description and date of proceeding)

The court reporter responsible for the preparation of these transcripts is Sandra Blakesley, Court Reporter for the Sixteenth Judicial District, Rosebud County, Montana.

It is further certified that financial arrangements were made with the court reporter before filing this notice.

Respectfully submitted this 4th day of February 2022.

/s/ John C. Martin
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*Attorneys for Respondent-
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CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF TRANSCRIPTS DEEMED NECESSARY FOR APPEAL with the Clerk of the Montana Supreme Court and that I have served true and accurate copies of the foregoing NOTICE OF TRANSCRIPTS DEEMED NECESSARY FOR APPEAL upon the Clerk of the District Court, each attorney of record, each court reporter from whom a transcript has been ordered, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Elizabeth T. Ball Clerk of District Court Montana Sixteenth Judicial District, Rosebud County 1200 Main Street P.O. Box 48 Forsyth, MT 59327 clerkofcourt.rosebud@mt.gov	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
Sandra Blakesley Court Reporter Montana Sixteenth Judicial District, Rosebud County 1200 Main Street P.O. Box 48 Forsyth, MT 59327 sblakesley@mt.gov	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
Amy D. Christensen 314 N. Last Chance Gulch Suite 300 Helena, MT 59601 Amy@cplawmt.com	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
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Derf Johnson Montana Environmental Information Center 107 W. Lawrence St., #N-6 Helena, MT 59624 djohnson@meic.org	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
Walton D. Morris, Jr. Morris Law Office, P.C. 1901 Pheasant Lane Charlottesville, VA 22901 wmorris@fastmail.net	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery

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Nicholas A. Whitaker Jeremiah Langston Montana Department of Environmental Quality 1520 East Sixth Avenue P.O. Box 200901 Helena, Montana 59620-0901 Nicholas.whitaker@mt.gov Jeremiah.Langston2@mt.gov Catherine.Armstrong2@mt.gov	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery

DATED this 4th day of February, 2022.

/s/ Trisa J. DiPaola
Trisa J. DiPaola, Legal Specialist
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