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**IN THE SUPREME COURT OF THE STATE OF MONTANA**  
**Supreme Court Cause No. DA 21-0609**

**WELLS FARGO BANK, N.A.,**

Appellant / Cross Appellee,

vs.

**ZINVEST, LLC,**

Appellee / Cross-Appellant.

**NOTICE OF  
CROSS-APPEAL**

Notice is given that Zinvest, LLC, the Cross-Appellant above-named and who is the Plaintiff in that cause of action filed in the Fourth Judicial District Court, in and for the County of Missoula, as Cause No. DV-32-2020-0000796, hereby cross-appeals to the Supreme Court of the State of Montana from the final order deemed denied in such action on March 22, 2022.

**THE CROSS-APPELLANT FURTHER CERTIFIES:**

1. That this cross-appeal is subject to the mediation process required by M.R. App. P. 7. The money judgment being sought is not less than \$5,000.
2. That this cross-appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b).
3. This this cross-appeal is for a final order deemed denied pursuant to M. R. Civ. P. 59.
4. That all available transcripts of the proceedings in this cause have been ordered from the Court Reporter contemporaneously with the filing of this Notice of Cross-Appeal.
5. That included herewith is the filing fee prescribed by statute.

DATED this 5<sup>th</sup> day of April, 2022.

PATTEN, PETERMAN, BEKKEDAHL & GREEN, PLLC

By:       /s/ W. Scott Green        
W. SCOTT GREEN  
Attorneys for Appellee/Cross-Appellant

## **CERTIFICATE OF SERVICE**

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF CROSS-APPEAL with the Clerk of the Montana Supreme Court and that I have served true and accurate copies of the NOTICE OF CROSS-APPEAL upon the Clerk of the District Court, each attorney of record, each Court Reporter from whom a transcript will be ordered; and each party not represented by an attorney in the above-referenced District Court action, on the 5th of April, 2022, as follows:

### **Via First Class Email**

Shirley E. Faust  
Missoula County District Court  
200 W Broadway  
Missoula, MT 59802

### **Via Email Only**

Jennifer Wells  
Court Reporter  
Email: [Jennifer.wells@mt.gov](mailto:Jennifer.wells@mt.gov)

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### **Via eService & First Class Mail**

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*Attorneys for Appellee / Cross-Appellee*

/s/ W. Scott Green  
W. Scott Green  
Attorneys for Appellee/Cross-Appellant

## **CERTIFICATE OF SERVICE**

I, W. Scott Green, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Cross Appeal to the following on 04-05-2022:

Chandler Poole Thompson (Attorney)  
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Suite 725  
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Jennifer Wells (Court Reporter)  
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Electronically Signed By: W. Scott Green  
Dated: 04-05-2022