

Thane Johnson
JOHNSON, BERG & SAXBY, PLLP
221 First Avenue East
P.O. Box 3038
Kalispell, MT 59903-3038
Telephone: (406) 755-5535
Facsimile: (406) 756-9436
Email: tjohnson@jbsattorneys.com

Brian D. Lee & Caydon C. Keller
LEE LAW OFFICE PC
P.O. Box 790, 158 Main Street
Shelby, MT 59474
Telephone: (406) 434-5244
Email: brian@leelawofficepc.com
caydon@leelawofficepc.com
Attorneys for Appellants

**IN THE SUPREME COURT OF THE STATE OF MONTANA
SUPREME COURT NO. DA-_____**

**MICHAEL J. O'BRIEN and
LINDA S. O'BRIEN,**

Plaintiffs and Appellants,

v.

**RAYMOND O'BRIEN, ERIN
BRENTESON, RANDY
BRENTESON and J.C. O'BRIEN
& SONS, INC., a Montana
corporation,**

Defendants and Appellees.

NOTICE OF APPEAL


Notice is given that Michael J. O'Brien and Linda S. O'Brien (the "Appellants"), who were the Plaintiffs and Counterclaim Defendants in that action filed in the Montana Ninth Judicial District, Pondera County, Cause No. DV-17-53, hereby appeals to the Supreme Court of the State of Montana from the Findings of Fact, Conclusions of Law and Order filed in such action on March 11, 2022, and the Judgment filed on March 22, 2022.

THE APPELLANTS FURTHER CERTIFY:

- 1) That this appeal is subject to the mediation process required by M. R. App. P. 7.
If subject to mediation, the money judgment being sought is not less than \$5,000.
- 2) That this appeal is not not an appeal from an order certified as final under M. R. Civ. P. 54(b).
- 3) That all available transcripts of the proceedings from the District Court Case have been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellants have complied with the provisions of M.R.App.P. 8(3) contemporaneously with the filing of this notice of appeal.
- 4) That included herewith is the filing fee prescribed by statute.

Dated April 19, 2022.

JOHNSON, BERG, & SAXBY, PLLP

By: 

Thane Johnson

LEE LAW OFFICE PC

By: *Brian D. Lee*

Brian D. Lee

By: *Caydon C. Keller*

Caydon C. Keller

TITLE	Notice of Appeal (v.2).pdf
FILE NAME	Notice%20of%20Appeal%20%28v.2%29.pdf
DOCUMENT ID	16b120a17949fb8fc8a832ba70b31ede0aa7a1d9
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Signed

This document was requested from app.clio.com

Document History



SENT

04 / 18 / 2022

14:23:45 UTC-6

Sent for signature to Thane Johnson (tjohnson@jbsattorneys.com), Brian D. Lee (brian@leelawofficepc.com) and Caydon C. Keller (caydon@leelawofficepc.com) from robin@leelawofficepc.com
IP: 104.225.212.16



VIEWED

04 / 18 / 2022

14:26:08 UTC-6

Viewed by Brian D. Lee (brian@leelawofficepc.com)
IP: 208.53.195.133



SIGNED

04 / 18 / 2022

14:26:31 UTC-6

Signed by Brian D. Lee (brian@leelawofficepc.com)
IP: 174.205.230.69



VIEWED

04 / 18 / 2022

14:29:16 UTC-6

Viewed by Caydon C. Keller (caydon@leelawofficepc.com)
IP: 104.225.212.16



SIGNED

04 / 18 / 2022

14:30:04 UTC-6

Signed by Caydon C. Keller (caydon@leelawofficepc.com)
IP: 104.225.212.16

04 / 19 / 2022

06:42:26 UTC-6

Viewed by Thane Johnson (tjohnson@jbsattorneys.com)
IP: 69.144.221.126

TITLE	Notice of Appeal (v.2).pdf
FILE NAME	Notice%20of%20Appeal%20%28v.2%29.pdf
DOCUMENT ID	16b120a17949fb8fc8a832ba70b31ede0aa7a1d9
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Signed

This document was requested from app.clio.com

 Document History
VIEWED



04 / 19 / 2022
06:43:44 UTC-6

Signed by Thane Johnson (tjohnson@jbsattorneys.com)
IP: 69.144.221.126



04 / 19 / 2022
06:43:44 UTC-6

The document has been completed.

CERTIFICATE OF SERVICE

I, Thane P. Johnson, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 04-19-2022:

Kirk D. Evenson (Attorney)
Marra, Evenson & Bell, P.C.
P.O. Box 1525
Great Falls MT 59403
Representing: Raymond O'Brien, Erin Brenteson, Randy Brenteson, J.C. O'Brien & Sons, Inc.
Service Method: eService

Brian D. Lee (Attorney)
158 Main Street
P.O. Box 790
Shelby MT 59474
Representing: Michael J O'Brien, Linda S O'Brien
Service Method: eService

Gary W. Bjelland (Attorney)
Jardine Stephenson Blewett & Weaver
Great Falls MT 59401
Representing: J.C. O'Brien & Sons, Inc.
Service Method: eService

Caydon Keller (Attorney)
219 Sheridan St
Shelby MT 59474
Representing: Michael J O'Brien, Linda S O'Brien
Service Method: E-mail Delivery

Electronically signed by Deborah Bungay on behalf of Thane P. Johnson
Dated: 04-19-2022