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*Attorneys for Appellants. N.B., K.M.B., K.R.B., and K.R.B.*

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No.

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N.B., K.M.B., K.R.B., and K.R.B.

Plaintiffs and Appellants,

v.

MONTANA DEPARTMENT OF  
PUBLIC HEALTH AND HUMAN  
SERVICES, a Montana State Agency,  
VALLEY COUNTY, a Montana county,  
CYNDI BAILLARGEON, individually  
and as a DPHHS employee, and DOES  
1-X,

Defendants and Appellees.

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**NOTICE OF APPEAL**

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NOTICE is given that N.B., K.M.B., K.R.B., and K.R.B., the Appellants above-named and who are the Plaintiffs in that cause of action filed in the Seventeenth Judicial District, in the County of Valley, as Case No. DV-21-26,

hereby appeal to the Supreme Court of the State of Montana from the final judgment entered in such action on the 6th day of April 2022.

**THE APPELLANT FURTHER CERTIFIES:**

1. That this appeal is subject to the mediation process required by M. R. App. P. 7.
2. That this appeal is an appeal from two final orders from the District Court. Appellants appeal: Order on State Defendant's Motion to Dismiss, January 21, 2022, **Exhibit A**, and Order Granting Defendant Valley County's Rule 12(c) Motion for Judgment on the Pleadings, April 7, 2022, **Exhibit B**. True and accurate copies of the orders being appealed are attached as these exhibits.
3. Appellants have complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.
5. That included herewith is the \$100.00 filing fee prescribed by statute.

Dated this 5th day of May, 2022.

  
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Kathleen. A Molsberry  
Lowy Law, PLLC  
*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 5th, 2022, I have filed a true and accurate copy

of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Clerk of Montana Seventeenth Judicial District, Valley County  
501 Court Square Box 6  
Glasgow, MT 59230

Rutherford Haynes  
PO Box 200124  
Helena, MT 59620-0124  
Representing: Montana Department of Public Health and Human Services  
Courtesy Copy: *rutherford.hayes2@mt.gov*

Harlan B. Krogh  
Haley Ford  
2708 1st Avenue North, Suite 300  
Billings, MT 59101  
Courtesy Copies: *hkrogh@crislaw.com*  
*hford@crislaw.com*

and

N.B., K.M.B., K.R.B., and K.R.B., *Appellants*

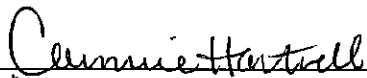
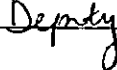


1 This is to certify that a copy or copies of the foregoing document, ORDER GRANTING  
2 DEFENDANT VALLEY COUNTY'S RULE 12(C) MOTION FOR JUDGMENT ON THE  
3 PLEADINGS, was duly served by mail upon the attorneys of record and parties of record at their  
4 addresses as shown below, by depositing the same in the United States Mail, postage prepaid this  
5 7<sup>th</sup> day of April, 2022.

6 Kathleen Molsberry  
7 Matthew B. Lowy  
8 Attorneys for Plaintiffs – via email

9 Rutherford B. Hayes,  
10 Attorney for DPHHS-CFSD and Cyndi Baillargeon – via email

11 Harlan B. Krogh  
12 Haley Ford  
13 Attorneys for Valley County – via email

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20  Clerk of Court  
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## CERTIFICATE OF SERVICE

I, Kathleen Anne Molsberry, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 05-05-2022:

Matthew B Lowy (Attorney)  
103 South 5th Street East  
Missoula MT 59801  
Representing: N. B., K. M. B., K. R. B., K. R. B.  
Service Method: eService

Rutherford B. Hayes (Attorney)  
1625 11th Ave  
PO Box 200124  
Helena MT 59620  
Representing: State of Montana, Cyndi Baillargeon  
Service Method: eService

Harlan B. Krogh (Attorney)  
2708 1st Avenue North  
Suite 300  
Billings MT 59101  
Representing: Valley County  
Service Method: eService

Haley Ford (Attorney)  
107 E. Oak St.  
# 3B  
Bozeman MT 59715  
Representing: Valley County  
Service Method: eService

Electronically Signed By: Kathleen Anne Molsberry  
Dated: 05-05-2022