

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. \_\_\_\_\_

Rufus I. Peace  
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PERKINS FAMILY HOLDINGS,  
LLC, a Montana Limited Liability  
Company

Appellant,

vs.

SNOWGHOST BUILDERS, LLC, a  
Montana Limited Liability Company,

Appellee.

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Perkins Family Holdings, LLC, the Appellant in the above-named cause above-named and who is the Plaintiff in that cause of action filed in the Eleventh Judicial District, in and for the County of Flathead, as Cause No. DV-15-2021-212, hereby appeals to the Supreme Court of the State of Montana from District Court’s Final Judgment (June 9, 2022), and the District Court’s finding that Defendant is the prevailing party.

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 NOT an appeal from an order certified as final under M. R. Civ. P. 54(b).
3. That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
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 appeal. If all available transcripts have not been ordered, that Appellant has 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 filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

DATED this 13<sup>th</sup> day of June, 2022.

CHRISTIAN, SAMSON & BASKETT, PLLC

/s/ Rufus I. Peace

Rufus I. Peace

*Attorney for Plaintiff-Appellant*

**CERTIFICATE OF SERVICE**

I hereby certify that 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:

VIA E-SERVICE:

Paul N. Tranel  
Brandon R. Shannon  
BOHYER, ERICKSON, BEAUDETTE & TRANEL, P.C.  
PO Box 7729  
Missoula, MT 59807  
*Attorney for Defendant-Appellee*

VIA EMAIL:

Clerk of District Court  
11<sup>th</sup> Judicial District  
920 South Main, Ste. 300  
Kalispell, MT 5991  
[flatheadclerkofcourt@flathead.mt.gov](mailto:flatheadclerkofcourt@flathead.mt.gov)

DATED this 29<sup>th</sup> day of March, 2022.

CHRISTIAN, SAMSON & BASKETT, PLLC

/s/ Rufus I. Peace

Rufus I. Peace

*Attorney for Plaintiff*

## **CERTIFICATE OF SERVICE**

I, Rufus I. Peace, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 06-13-2022:

Paul N. Tranel (Attorney)  
283 W Front, Suite 201  
PO Box 7729  
Missoula MT 59807  
Representing: Snowghost Builders, LLC  
Service Method: eService

Electronically signed by Jane Rasmussen on behalf of Rufus I. Peace  
Dated: 06-13-2022