

Ralph W. Steele
Ralph W. Steele, P.C.
202 W. Main Street, Suite 201
Bozeman, Montana, 59715
Ph: (406) 582-9986
Email: rsteele@steelelawmt.com

J. Devlan Geddes
Goetz, Geddes & Gardner, P.C.
35 N Grand Ave.
P.O. Box 6580
Bozeman, MT 59771-6580
Ph: 406-587-0618
Email: devlan@goetzlawfirm.com
*Attorneys for the Estate and Cameron
Burns as Personal Representative*

Grant R. Kelly
Church, Harris, Johnson &
Williams, P.C.
114 Third Street South
P.O. Box 1645
Great Falls, MT 59403-1645
Ph: 406-761-3000
Fax: 406-453-2313
Email: gkelly@chjw.com
*Attorneys for Alison Burns,
Interested Person*

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. DA 22-0456

IN THE MATTER OF THE ESTATE OF
HORATIO W. BURNS,

Deceased.

NOTICE OF CROSS-APPEAL

NOTICE is given that Cameron H. Burns, as the Personal Representative of the Estate of Horatio W. Burns, and Alison Burns, an interested person, who are the Cross-Appellants and who are the Respondents in that cause of action filed in the Sixth Judicial District, in and for the County of Sweet Grass, as Cause No. DP

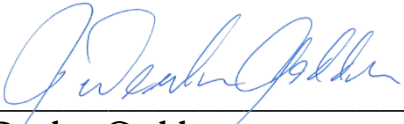
2018-10, hereby cross-appeal to the Supreme Court of the State of Montana from the Jury Instructions given to the jury by the District Court on the 14th day of February, 2022.

THE CROSS-APPELLANTS FURTHER CERTIFY:

1. That this cross-appeal is not subject to the mediation process required by M. R. App. P. 7.
2. That this cross-appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b).
3. That all available transcripts of the proceedings in this cause involving the issues cross-appealed have been ordered from the court reporter.
4. That included herewith is the filing fee prescribed by statute.

DATED this 9th day of November, 2022.


GOETZ, GEDDES & GARDNER, P.C.

By: 

J. Devlan Geddes
GOETZ, GEDDES & GARDNER, P.C.

Ralph W. Steele
Ralph W. Steele, P.C.
*Attorneys for The Estate and
Cameron Burns as Personal Representative*

CHURCH, HARRIS, JOHNSON & WILLIAMS, P.C.

By: 

GRANT R. KELLY
Attorneys for Alison Burns, Interested Person

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 foregoing 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, as follows:

<ul style="list-style-type: none"> ■ U.S. Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Via Fax: ■ E-mail: StephanieBaucus@moultonbellingham.com Christopher.Sweeney@moultonbellingham.com 	<p>Stephanie Baucus Christopher T. Sweeney Moulton Bellingham PC P.O Box 2559 Billings, MT 59103-2559</p>
<ul style="list-style-type: none"> ■ U.S. Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Via Fax: ■ E-mail: gkelly@chjw.com 	<p>Grant R. Kelly Church, Harris, Johnson & Williams, P.C. P.O. Box 1645 Great Falls, MT 59403-1645</p>
<ul style="list-style-type: none"> ■ U.S. Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Via Fax: ■ E-mail: mark@pilchlaw.com 	<p>Mark Pilch Pilch Law 2516 39½ Avenue South Fargo, ND 58104</p>
<ul style="list-style-type: none"> ■ U.S. Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Via Fax: ■ E-mail: mconsidine@ppbglaw.com 	<p>Molly S. Considine Morgan E. Tuss Paten, Peterman, Bekkedahl & Green PLLC 2817 Second Avenue North, Suite</p>

mtuss@ppbglaw.com	300 P.O. Box 1239 Billings, MT 59103
<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Via Fax: <input checked="" type="checkbox"/> E-mail: mweamer@lawmt.com	H. W. Burns Family LLC c/o Margaret Weamer Tarlow Stonecipher Weamer & Kelly, PLLC 1705 West College Bozeman, MT 59715-4913

Dated this 9th day of November, 2022.

By: 

J. Devlan Geddes

cc: Sweet Grass County Clerk of Court
Clerk of the Montana Supreme Court

CERTIFICATE OF SERVICE

I, J. Devlan Geddes, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Cross Appeal to the following on 11-09-2022:

Stephanie Denton Baucus (Attorney)
27 North 27th Street, Suite 1900
P.O. Box 2559
Billings MT 59101
Representing: Lindsay Burns Barbier
Service Method: eService

Christopher Thayne Sweeney (Attorney)
P O Box 2559
Billings MT 59103
Representing: Lindsay Burns Barbier
Service Method: eService

Bobbi K. Owen (Attorney)
27 North 27th Street
Suite 1900
P.O. Box 2559
Billings MT 59103
Representing: Lindsay Burns Barbier
Service Method: eService

Grant Robert Kelly (Attorney)
114 3rd St. S.
P.O. Box 1645
Great Fallsa MT 59401
Representing: Alison Burns
Service Method: eService

Kyle W. Nelson (Attorney)
PO Box 6580
Bozeman MT 59771
Representing: Cameron Burns
Service Method: eService

Katherine Baker DeLong (Attorney)
35 N Grand Ave

Bozeman MT 59715
Representing: Cameron Burns
Service Method: eService

Morgan Elizabeth Tuss (Attorney)
2817 2nd Avenue North
Suite 300
Billings MT 59101
Representing: Seth Burns
Service Method: eService

Molly S. Considine (Attorney)
2817 2nd Ave. North #300
Billings MT 59101
Representing: Seth Burns
Service Method: eService

Margaret Carrie Weamer (Attorney)
1705 West College Street
Bozeman MT 59715
Representing: HW Burns Family LLC
Service Method: eService

Ralph W. Steele (Attorney)
Ralph W. Steele PC
202 W. Main Street, Suite 201
Bozeman MT 59715
Representing: Cameron Burns
Service Method: Conventional

Electronically signed by Kaila Pelzer on behalf of J. Devlan Geddes
Dated: 11-09-2022