

 ORIGINAL

FILED

10/17/2023

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 23-0575

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 23-0575

RIKKI HELD; LANDER B., by and through his guardian Sara Busse; BADGE B., by and through his guardian Sara Busse; SARIEL SANDOVAL; KIAN T., by and through his guardian Todd Tanner; GEORGIANNA FISCHER; KATHRYN GRACE GIBSON-SNYDER; EVA L., by and through her guardian Mark Lighthiser; MIKA K., by and through his guardian Rachel Kantor; OLIVIA VESOVICH; JEFFREY K., by and through his guardian Laura King; NATHANIEL K., by and through his guardian Laura King; CLAIRE VLASES; RUBY D., by and through her guardian Shane Doyle; LILIAN D., by and through her guardian Shane Doyle; TALEAH HERNÁNDEZ,

Plaintiffs and Appellees,

v.

STATE OF MONTANA, GOVERNOR GREG GIANFORTE, MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY, MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, and MONTANA DEPARTMENT OF TRANSPORTATION,

Defendants and Appellants.

Appellants State of Montana, et al., have filed a notice of appeal from the following Orders of the First Judicial District Court in Cause No. DV-20-307, which the District Court certified as final pursuant to M. R. Civ. P. 54(b):

1. Order dated August 4, 2021, regarding Defendants' Motion to Dismiss;
2. Order dated June 30, 2022, denying Defendants' Rule 60(a) Motion for Clarification of Order on State's Motion to Dismiss;
3. Order dated September 22, 2022, denying Defendants' Second Rule 60(a) Motion for Clarification of Order on State's Motion to Dismiss;

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OCT 17 2023

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

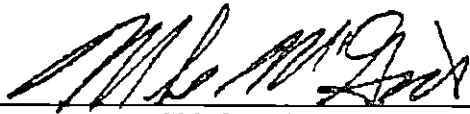
4. Order dated October 14, 2022, denying Defendants' Rule 35(a) Motion for Independent Medical Examination;
5. Order dated May 23, 2023, regarding Defendants' Motion for Summary Judgment;
6. Order dated June 1, 2023, ruling on Motions in Limine;
7. Order dated June 7, 2023, denying Defendants' Motion to Dismiss MEPA Claims; and
8. Order dated August 14, 2023, regarding all remaining claims.

Pursuant to M. R. App. P. 4(4)(b), we have reviewed the District Court's certification order for compliance with M. R. App. P. 6(6). We conclude the court's certification order is in substantial compliance with the requirements of Rule 6(6) and our case law interpreting certification orders under Rule 54(b).

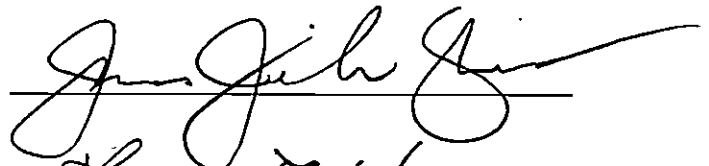
IT IS THEREFORE ORDERED that this appeal may proceed.

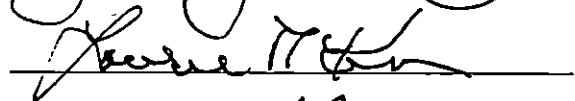
The Clerk is directed to provide copies of this Order to all parties.

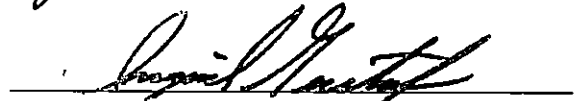
DATED this 17th day of October, 2023.

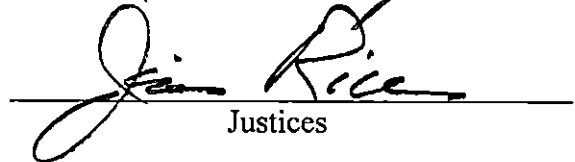


Chief Justice









Justices