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8 *Attorneys for Plaintiffs/Appellants*

9 **IN THE SUPREME COURT OF THE STATE OF MONTANA**

10 **Supreme Court Case No. \_\_\_\_\_**

11 JAMES G. ARCHER, DENISE F.  
12 ARCHER, ROGER WAGNER,  
13 ANTOINETTE WAGNER, RUTGER  
14 NIERS, LAURA NIERS and GREGORY  
15 CHAPMAN, GREGORY SMITH, LISA  
16 BRYANT,

17 Plaintiffs/Appellants,

18 vs.

19 GORDON TAIT and MICHELLE JANZ,

20 Defendants/Appellees.

**NOTICE OF APPEAL**

21  
22 NOTICE IS HEREBY GIVEN that James G. Archer, Denise F. Archer, Roger  
23 Wagner, Antoinette Wagner, Rutger Niers, Laura Niers, Gregory Chapman, Gregory  
24 Smith, Lisa Bryant, the Plaintiffs in Cause No. DV-23-640E, Eleventh Judicial  
25 District, appeals to the Montana Supreme Court from the Order and Rationale on  
26  
27  
28


1 Motions for Summary Judgment issued on December 5, 2023, of which a Notice of  
2 Entry of Judgment was filed and served on December 11, 2023.

3  
4 THE APPELLANT CERTIFIES:

- 5 1. That this appeal is not subject to the mediation process required by  
6 M.R.App.P. 7.  
7  
8 2. That this appeal is not from an order certified as final under M.R.Civ.P.  
9 54(b).  
10  
11 3. That this appeal does not involve a challenge to the constitutionality of  
12 any act of the Montana Legislature.  
13  
14 4. That no transcripts have been ordered or will be needed because this is an  
15 appeal from a summary judgment, which was decided based solely on the parties'  
16 briefs and accompanying written submissions to the district court. No hearings took  
17 place with respect to the summary judgment at issue.  
18  
19 5. That included herewith is the filing fee prescribed by statute.

20  
21 DATED this 9<sup>th</sup> day of January, 2024.

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27 By:   
28 Sean S. Frampton



## CERTIFICATE OF SERVICE

I, Sean S. Frampton, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 01-09-2024:

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Electronically signed by Kelly Kracker-Sletten on behalf of Sean S. Frampton  
Dated: 01-09-2024