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Attorneys for Plaintiff and Appellant

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. _____

The ESTATE OF JEREMY NORBY through
LORILEE NORBY as Personal
Representative,

Plaintiff and Appellant,

vs.

ORIN PETE COUNCIL, M.D. and
O. PETE COUNCIL, M.D., P.C.,

Defendants and Appellees.

NOTICE OF APPEAL

Notice is given that The Estate of Jeremy Norby, the Appellant above-named and who is the Plaintiff in that cause of action filed in the Seventh Judicial District, Richland County as Cause No. DV 22-0000092, hereby appeals to the Supreme Court of the State of Montana from the final judgment entered on February 5, 2024.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is subject to the mediation process required by Rule 7, M.

R. App. P. The money judgement being sought is not less than \$5,000.

2. That this 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 have been ordered from the court reporter contemporaneously with the filing of this notice of appeal.

4. That included herewith is the filing fee prescribed by statute.

DATED this 6th day of February, 2024.

HEENAN & COOK, PLLC

By /s/Joseph P. Cook
Joseph P. Cook
HEENAN & COOK, PLLC
1631 Zimmerman Trail, Suite 1
Billings, MT 59102

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, 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:

Janice Klempel
Clerk of District Court
300 12th Avenue NW, Suite 3
Sidney, MT 59270

Sasha Jeffrey
Court Reporter
300 12th Avenue NW, Suite 3
Sidney, MT 59270
sasha.jeffrey@mt.gov

Elizabeth L. Hausbeck
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MOORE, COCKRELL,
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sgoicoechea@mcgalaw.com

Dated this 6th day of February, 2024.

/s/ Joseph P. Cook
Joseph P. Cook
HEENAN & COOK, PLLC
1631 Zimmerman Trail, Suite 1
Billings, MT 59102

Attorneys for Appellant/Plaintiff

CERTIFICATE OF SERVICE

I, Joseph Patrick Cook, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 02-06-2024:

Jesse Cole Medearis (Attorney)
1631 Zimmerman Trail
Billings MT 59102
Representing: Estate of Jeremy Norby through Lorilee Norby as PR
Service Method: eService

Gabrielle Gee (Attorney)
101 East Front Street, Suite 402
MISSOULA MT 59802
Representing: Orin Pete Council, MD, O. Pete Council, MD, PC
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Elizabeth L. Hausbeck (Attorney)
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101 East Front Street, Suite 402
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Representing: Orin Pete Council, MD, O. Pete Council, MD, PC
Service Method: eService

Electronically Signed By: Joseph Patrick Cook
Dated: 02-06-2024