FILED

IN THE SUPREME COURT OF THE STATE OF MONTANA SUPREME COURT CAUSE NO. DA 23-0664 02/14/2024 Bowen Greenwood CLERK OF THE SUPREME COURT STATE OF MONTANA

Case Number: DA 23-0664

WALTER JOEY OVERSTREET,

Plaintiff/Appellant,

v.

ERIC FETTERHOFF, in his official and individual capacities, JOHN DOES 3-7, BARBARA WATSON, individually, and WATSON CRASH RECONSTRUCTION, LLC, MONTANA HIGHWAY PATROL, and PARK COUNTY, MONTANA, a political subdivision, Bruce Becker, individually, and as Park County Attorney, Shannan Piccolo, individually, and as Deputy Park County Attorney, STATE OF MONTANA, and KENDRA LASSITER, individually, and in her official capacity as Park County Attorney,

Defendants/Appellees.

STIPULATION FOR DISMISSAL OF BARBARA WATSON AND WATSON CRASH RECONSTRUCTION, LLC WITH PREJUDICE

On Appeal from the Montana Sixth Judicial District Court, Park County, the Honorable Brenda R. Gilbert Presiding

Jesse Myers MurphyMyers PLLC 27 North 27th Street, Suite 21A P.O. Box 1619 Billings, Montana 59103-1619 Telephone: (406) 732-6868 Fax: (406) 204-4662 Email: jesse@murphymyers.com Attorneys for Defendant/Appellee Watson Crash Reconstruction, LLC Jami Rebsom Jami Rebsom Law Firm PLLC 411 West Park Street P.O. Box 670 Livingston, Montana 59047 Telephone: (406) 222-5963 Email: jamirebsom@gmail.com Attorneys for Appellant/Plaintiff Walter Joey Overstreet

Jennifer A. Morgan **MACo** Defense Services 2717 Skyway Drive, Suite F Helena, Montana 59602-1213 Telephone: (406) 441-5471 Fax: Fax (406) 441-5497 Email: jmorgan@mtcounties.org *Attorneys for Defendant/Appellee Park* County

Chad R. Vanisko, MT Bar No. 8772 MONTANA DEPARTMENT OF JUSTICE Agency Legal Counsel Agency Legal Services Bureau 1712 Ninth Avenue PO Box 201440 Helena, Montana 59620-1440 Telephone: (406) 444-3029 Fax: (406) 444-4303 Email: Chad.Vanisko@mt.gov Attorneys for Defendants/Appellees Erick Fetterhoff, Bruce Becker, Kendra Lassiter, and Shannan Piccollo

COME NOW the above-named parties, by and through their respective counsel, and hereby stipulate that Defendants/Appellees Barbra Watson and Watson Crash Reconstruction, LLC may be dismissed from this action with prejudice. Appellant's claims against Defendants/Appellees Barbra Watson and Watson Crash Reconstruction, LLC have been fully settled on the merits with each party to bear its own fees and costs. This Stipulation does not impact Plaintiff/Appellant's other claims against the remaining parties which shall remain for independent adjudication. A proposed Order is submitted herewith

Respectfully submitted this 14th day of February, 2024.

MURPHYMYERS PLLC

By:

/s/ Jesse Myers Jesse Myers Attorneys for Appellee Watson Crash Reconstruction. LLC

JAMIE REBSOM LAW FIRM PLLC

By: <u>/s/ Jami Rebsom</u> Jami Rebsom *Attorneys for Appellant Walter Joey Overstreet*

CERTIFICATE OF SERVICE

I, Jesse Myers, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 02-14-2024:

Chad R. Vanisko (Govt Attorney) P.O. Box 201440 HELENA MT 59620-1440 Representing: Bruce Becker, Eric Fetterhoff, Montana Highway Patrol, Shannan Marie Piccolo Service Method: eService

Jami L. Rebsom (Attorney) Jami Rebsom Law Firm PO Box 670 Livingston MT 59047 Representing: Walter Joey Overstreet Service Method: eService

Suzanne C. Marshall (Attorney) 2050 Fairway Drive Suite 205 Bozeman MT 59715 Representing: Walter Joey Overstreet Service Method: eService

Mark F. Higgins (Attorney) 2717 Skyway Drive, Suite F Helena MT 59602-1213 Representing: Park County Service Method: eService

Jennifer Morgan (Attorney) PO Box 6697 Helena MT 59604 Representing: Park County Service Method: eService

Electronically Signed By: Jesse Myers