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*Attorneys for Defendants and  
Appellees/Cross-Appellants*

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA 24-0077

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

*Plaintiff and  
Appellant/Cross-Appellee,*

v.

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

*Defendants and  
Appellees/Cross-Appellants.*

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**NOTICE OF CONDITIONAL  
CROSS-APPEAL**

NOTICE is given that Orin Pete Council, M.D., and O. Pete Council, M.D., P.C., conditionally cross-appeal to the Supreme Court of the State of Montana from the final judgment entered in Cause No. DV-42-2022-0000092-PM in the Seventh Judicial District, in and for the County of Richland, on February 5, 2024, and all subsidiary rulings and orders leading to final judgment.

**THE CROSS-APPELLANTS FURTHER CERTIFY:**

1. That this conditional cross-appeal is subject to the mediation process required by Montana Rule of Appellate Procedure 7. The money judgment being sought is not less than \$5,000.

2. That this conditional cross-appeal is not an appeal from an order certified as final under Montana Rule of Civil Procedure 54(b).

3. That all available transcripts of the proceedings in this cause involving the conditional cross-appeal have previously been ordered.

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

Respectfully submitted this 21st day of February, 2024.

HALL BOOTH SMITH, P.C.

/s/ Elizabeth L. Hausbeck  
Elizabeth L. Hausbeck  
*Attorneys for Defendants and  
Appellees/Cross-Appellants*

## CERTIFICATE OF SERVICE

I, Elizabeth L. Hausbeck, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Cross Appeal to the following on 02-21-2024:

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Electronically signed by Amber Nicole Payton on behalf of Elizabeth L. Hausbeck  
Dated: 02-21-2024