

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. _____

IN THE MATTER OF THE ESTATE OF LENA AMEILA JOHNSON, DECEASED,
STEVE GRUNDHAUSER, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF
KATHERINE GRUNDHAUSER (“KATHERINE’S ESTATE”)

Petitioner/Appellant,

v.

KENNETH JOHNSON, PERSONAL REPRESENTATIVE OF THE ESTATE OF LENA
AMEILA JOHNSON (“LENA’S ESTATE”),

Respondent/Appellee.

On Appeal from the Montana Second Judicial District Court,
in and for the County of Silver Bow,
Cause No. DP-21-76
Hon. Kurt Krueger, Presiding

NOTICE OF APPEAL

APPEARANCES:

Natalie Black
Erika Colstad
WORDEN THANE P.C.
321 W. Broadway St., Ste. 300
Missoula, MT 59802
(406) 721-3400
nblack@wordenthane.com
ecolstad@wordenthane.com

*Attorneys for Petitioner/Appellant,
Steven Grundhauser in his capacity as*

W. Wayne Harper
HARPER LAW FIRM
49 North Main Street, Suite C
Butte, MT 59701
wayne@wharperlaw.com

*Attorney for Respondent/Appellee,
Personal Representative for Lena’s
Estate*

*Personal Representative of the Estate
of Katherine Grundhauser*

Brian J. Miller
Morrison, Sherwood, Wilson, and
Deola, P.L.L.P.
401 North Last Chance Gulch
Helena, Montana 59691
*Attorney for Petitioners/Appellees,
Melissa Coffin, Brooke Mattson, and
Cindy Carver*

Notice is given that Steve Grundhauser, in his capacity as personal representative for the estate of Katherine Grundhauser, a non-party, in Montana Second Judicial District Court, in and for the County of Silver Bow, Cause No. DP-21-76, hereby appeals to the Montana Supreme Court from the Order Denying Motion to Intervene and Motion for Relief from Judgment dated January 31, 2024.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b);
2. That this appeal is not subject to the mediation process required by M. R. App. P. 7 because Appellant is not seeking a money judgment and this matter is not related to domestic relations or workers' compensation;
3. That this appeal does not challenge the constitutionality of any act of the Montana Legislature;
4. That a copy of the Notice of Appeal has been contemporaneously filed in the office of the Clerk of the District Court;

5. All available transcripts of the proceedings in this cause have been ordered contemporaneously with the filing of this Notice of Appeal.

6. That a copy of this Notice of Appeal will be served by mailing to the Clerk of the District Court and to counsel for the Appellees; and

7. That the required filing fee for this Notice of Appeal has been paid through the Montana Courts Electronic Filing system.

Dated this 28th day of February 2024.

WORDEN THANE P.C.

*Attorneys for Steven Grundhauser in
his capacity as Personal*

*Representative of the Estate of
Katherine Grundhauser/Appellant*



Natalie Black

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 on the Clerk of the District Court, each attorney of record and each person not represented by an attorney in the above referenced District Court action as follows:

Clerk of Court
Silver Bow County Courthouse
155 West Granite Street
Butte, MT 59701

Brian J. Miller
Morrison, Sherwood, Wilson, and
Deola, P.L.L.P.
401 North Last Chance Gulch
Helena, Montana 59691
Attorneys for
Petitioners/Appellees

W. Wayne Harper
HARPER LAW FIRM
49 North Main Street, Suite C
Butte, MT 59701
wayne@wharperlaw.com

Attorneys for
Respondent/Appellees

Sherri Kennedy, Judicial Assistant
c/o Hon. Kurt Krueger
Silver Bow County Courthouse
155 West Granite Street
Butte, MT 59701
skennedy@mt.gov

Dated this 28th day of February 2024.



Name – Julie Ludwick

321 West Broadway, Suite 300, Missoula, Montana 59802
Address

Legal Assistant to Natalie Black
Title

CERTIFICATE OF SERVICE

I, Natalie Louise Black, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 02-28-2024:

Erika Delane Colstad (Attorney)
Worden Thane P.C.
321 West Broadway, Ste. 300
Missoula MT 59802
Representing: Steven Grundhauser, Estate of Katherine Grundhauser
Service Method: eService

Warren Wayne Harper (Attorney)
49 North Main Street
Suite C
Butte MT 59701
Representing: Kenneth Johnson, Estate of Lena Ameila Johnson
Service Method: eService

Brian James Miller (Attorney)
PO Box 557
Helena MT 59624
Representing: Melissa Coffin, Brooke Mattson, Cindy Carver
Service Method: eService

Electronically signed by Julie Ludwick on behalf of Natalie Louise Black
Dated: 02-28-2024