

Mike Gawley  
NOSSAMAN LLP  
50 California Street  
34th Floor  
San Francisco, 94111  
T: (415) 398-3600 F: (415) 398-2438

*Attorneys for St. James Healthcare*

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

Supreme Court Cause No. \_\_\_\_\_  
(To be assigned by the Clerk of the Supreme Court)

ST. JAMES HEALTHCARE, a Montana )  
public benefit corporation, )  
 )  
Appellant, )  
 )  
-vs- )  
 )  
FRANK RAISER, M.D., )  
 )  
Appellee. )  
 )  
 )  
 )

**NOTICE OF  
APPEAL**

**NOTICE** is given that **ST. JAMES HEALTHCARE**, the Appellant above-named and who is the Defendant in that cause of action filed in the Montana Second Judicial District, in and for the County of Butte-Silver Bow, as Cause No. DV-23-308, hereby appeals to the Supreme Court of the State of Montana from the order granting Appellee Frank Raiser M.D.’s Application for a Preliminary Injunction and all interlocutory orders and findings related thereto, entered in such action on the 19<sup>th</sup> day of March, 2024.

**THE APPELLANT FURTHER CERTIFIES:**

1. That this appeal is not subject to the mediation process required by M. R. App. P. 7.
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 16 day of April 2024.

NOSSAMAN LLP

By: 

Mike Gawley  
*Attorneys for St. James Healthcare*

**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, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Mail  
 Overnight Delivery Service  
 E-Mail

**Attorneys for Plaintiff**

Timothy B. Strauch, Esq.  
Ward E. "Mick" Taleff, Esq.  
Amanda Beckers Sowden, Esq.  
**RESOLUTE LAW, PLLC**  
257 West Front Street, Ste. A  
Missoula, MT 59802  
T: (406) 532-2600  
F: (406) 542-3332  
[tim@mtresolutelaw.com](mailto:tim@mtresolutelaw.com)  
[mick@mtresolutelaw.com](mailto:mick@mtresolutelaw.com)  
[amandap@mtresolutelaw.com](mailto:amandap@mtresolutelaw.com)

Clerk of the District Court  
Courthouse, Room 313  
155 W. Granite Street  
Butte, MT 59701  
T: (406) 497-6350  
[beth.parks@mt.gov](mailto:beth.parks@mt.gov)

Dated this 16th day of April, 2024.

\_\_\_\_\_  
*/s/ Sonia J. Ortiz*  
Sonia J. Ortiz

## **CERTIFICATE OF SERVICE**

I, Michael Albert Gawley, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 04-16-2024:

Timothy B. Strauch (Attorney)  
257 West Front St.  
Ste. A  
Missoula MT 59802  
Representing: RESOLUTE LAW, PLLC  
Service Method: eService

Electronically Signed By: Michael Albert Gawley  
Dated: 04-16-2024