

04/30/2024

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 24-0274

## IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. \_\_\_\_\_

KARL KNUCHEL  
WEBSTER CRIST  
SARAH GRAY PEPE  
**KNUCHEL & CRIST, P.C.**  
101 North E Street  
P.O. Box 953  
Livingston, MT 59047  
Telephone: 406/222-0135  
Email: karl@knuchelpc.com  
ATTORNEY FOR RESPONDENT/APPELLANT

\_\_\_\_\_  
MONTANA 406, LLC D/B/A ENGEL )  
AND VOLKERS MONTANA, )

Plaintiff/Appellee, )

vs. )

RMC DEVELOPMENT GROUP, LLC, )

Defendant/Appellant. )

Cause No. DV-2020-67

**NOTICE OF APPEAL**

NOTICE is given that RMC DEVELOPMENT GROUP, LLC, the Appellant  
above-named and who is the Defendant in that cause of action filed in the Sixth  
Judicial District Court, in and for the County of Park, as Cause No. DV-2020-67

1 hereby appeals to the Supreme Court of the State of Montana from the Judgment  
2 entered on the 22<sup>nd</sup> day of April 2024.  
3

4 **THE APPELLANT FURTHER CERTIFIES:**

5 1. That this appeal is subject to the mediation process required by M. R.  
6 App. P. 7.  
7

8 2. That this appeal is not an appeal from an order certified as final under  
9 M. R. Civ. P. 54(b).  
10

11 3. That the notice required by M. R. App. P. 27 has not been given because  
12 this appeal does not concern a challenge to the constitutionality of any act of the  
13 Montana Legislature.  
14

15 4. That included herewith is the filing fee prescribed by statute, or the  
16 affidavit to proceed without payment of the required filing fee prescribed in the  
17 Appendix of Forms as Form 3.  
18

19 5. That the transcripts for the final hearing have already been ordered and  
20 will be provided to the Court.  
21

22 Dated this 30<sup>th</sup> day of April, 2023.

23  
24 /s/Karl Knuchel  
25 Karl Knuchel  
26 Attorney for Appellant  
27  
28

1  
2  
3 **CERTIFICATE OF SERVICE**

4 I hereby certify that I have filed a true and accurate copy of the foregoing  
5 NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and I have  
6 served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk  
7 of the District Court, each attorney of record, and each party not represented by an  
8 attorney in the above-referenced District Court action, as follows:  
9  
10

11 MOLLY BRADBERRY  
12 *Clerk of District Court, Park County*  
13 414 East Callender  
14 Livingston, MT 59047

15 ROBIN LEE  
16 *Park County Court Reporter*  
17 414 East Callender  
18 Livingston, MT 59047

19 LILIA TYRRELL  
20 KASTING KAUFMAN & MERSEN PC  
21 716 South 20<sup>th</sup> Ave., Ste. 101  
22 Bozeman, MT 59718  
23 *Attorney for Plaintiff/Appellee*

24 Dated this 30<sup>th</sup> day of April, 2024.

25 Orlina Libsack  
26 Name  
27 101 North E Street, Livingston, MT 59047  
28 Address  
Legal Assistant  
Title

## **CERTIFICATE OF SERVICE**

I, Karl Knuchel, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 04-30-2024:

Lilia Norma Tyrrell (Attorney)  
716 South 20th Avenue  
Suite 100  
Bozeman MT 59718  
Representing: Montana 406, LLC D/B/A Engel and Volkers Montana  
Service Method: eService

Electronically Signed By: Karl Knuchel  
Dated: 04-30-2024