

**IN THE SUPREME COURT OF  
THE STATE OF MONTANA****Supreme Court Cause No. \_\_\_\_\_**

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**BRYAN LATKANICH,**

Appellant,

v.

**COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF ENVIRONMENTAL PROTECTION,  
Appellee, and EQT CHAP LLC,**

Appellees/Appellant.

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**NOTICE OF APPEAL**

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On Appeal from the Montana Eighteenth Judicial Court,  
Gallatin County, The Honorable Rienne H. McElyea Presiding

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**APPEARANCES:**

Murry Warhank  
Jackson, Murdo & Grant, P.C.  
203 N. Ewing Street  
Helena, MT 59601  
Phone: (406) 442-1300  
[mwarhank@jmgattorneys.com](mailto:mwarhank@jmgattorneys.com)

*Counsel for EQT CHAP LLC*

Peter Michael Meloy  
Meloy Law Firm  
P.O. Box 1241  
Helena, MT 59624  
Phone: (406) 442-8670  
[mike@meloylawfirm.com](mailto:mike@meloylawfirm.com)

*Counsel for Environmental Health  
Science*

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NOTICE is given that EQT CHAP LLC, the Appellant above-named and who is the Appellee in that cause of action filed in the Eighteenth Judicial District, in and for the County of Gallatin, as Cause No. DV-16-2023-0000886-OS, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 28th of February, 2024, granting Environmental

Health Sciences' Motion to Quash, attached hereto as Exhibit A. EQT CHAP LLC's Motion for Relief from Order Pursuant to Rule 60(b)(6) was denied on April 26, 2024.

**THE APPELLANT FURTHER CERTIFIES:**

1. That this appeal is not subject to the mediation process required by Mont. R. App. P. 7.

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

3. That the notice required by Mont. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge, if any, to the constitutionality of any act of the Montana Legislature.

4. 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. If all available transcripts have not been ordered, that Appellant has complied with the provisions of Mont. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

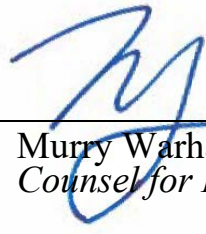
5. That included herewith is the filing fee prescribed by statute.

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DATED this 23<sup>rd</sup> day of May 2024.

JACKSON, MURDO & GRANT, P.C.

By:  \_\_\_\_\_  
Murry Warhank  
*Counsel for EQT CHAP LLC*

## **CERTIFICATE OF SERVICE**

I, Murry Warhank, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 05-23-2024:

Peter M. Meloy (Attorney)  
2601 E. Broadway  
2601 E. Broadway, P.O. Box 1241  
Helena MT 59624  
Representing: Environmental Health Science  
Service Method: eService

Electronically signed by Kenzie Heimbach on behalf of Murry Warhank  
Dated: 05-23-2024