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ATTORNEY FOR APPELLANTS

IN THE SUPREME COURT OF THE STATE OF MONTANA

NO. _____

ELGIN FABER and COLLEEN FABER,

Appellants,

-VS-

KEITH RATY, COLLEEN RATY, et al,

Appellees.

NOTICE OF APPEAL

Notice is given that Elgin Faber and Colleen Faber, the Appellants above-named and who are the Plaintiffs in that cause of action filed in the Twelfth Judicial District Court, in and for the County of Hill, as Cause No. DV-21-2016-003, hereby appeal to the Supreme Court of the State of Montana the July 10, 2024 Second Amended Findings of Fact, Conclusions of Law, and Judgment and Order to Close,

the August 12, 2024 Order Refusing Further Amendments to Judgment, and August 19, 2024 Order Maintaining August 12, 2024 Order.

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 3rd day of September, 2024.

PATTEN, PETERMAN, BEKKEDAH
& GREEN, PLLC

By: /s/ Michael F. McGuinness
Michael F. McGuinness
Attorneys for Appellants

CERTIFICATE OF SERVICE

On September 3, 2024, 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 NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, each Court Reporter from whom a transcript will be ordered; and each party not represented by an attorney in the above-referenced District Court action, as follows:

Via E-Service & Email

Kathie Vigliotti
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Via E-Service & Email

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Honorable John Kutzman
District Court Judge
jkutzman@mt.gov
sarah.peltier@mt.gov

/s/ Michael F. McGuinness
Michael F. McGuinness
Attorneys for Appellants