FILED

09/06/2024

Bowen Greenwood CLERK OF THE SUPREME COURT STATE OF MONTANA

Case Number: DA 24-0429

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Attorneys for Appellees

IN THE SUPREME COURT OF THE STATE OF MONTANA

R. ALLAN PAYNE,

Appellant,

v.

ROBERT G. CLINTON,

Appellee.

Cause No. DA 24-0429

APPELLEE'S UNOPPOSED MOTION TO SUBSTITUTE PARTY

Pursuant to Rule 25(2), M. R. App. P., Appellee/Respondent Robert G.

Clinton moves the Court for an order substituting Ferry Lane Management LLC, a Wyoming limited liability company, as Appellee. This motion is unopposed and is filed for the reasons that follow:

This appeal arises out of a dispute concerning Robert G. Clinton's claimed authority to act as the sole director of Ferry Lane Limited, a company organized under the laws of the Territory of the British Virgin Islands. On June 19, 2024, Mr. Clinton signed a document stating he resigned as a director of Ferry Lane Limited. On June 28, 2024, Ferry Lane Management LLC was appointed as the new director of Ferry Lane Limited.

The parties have conferred regarding these changes and agree that it is both appropriate and necessary to substitute Ferry Lane Management LLC for Robert Clinton as the Appellee to reflect the current circumstances and to ensure that any decision by this Court will have the effect it intends.

Dated this 6th day of September, 2024.

CROWLEY FLECK PLLP

By: <u>/s/ Mark L. Stermitz</u> Mark L. Stermitz Attorneys for Appellee

CERTIFICATE OF SERVICE

I, Mark L. Stermitz, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 09-06-2024:

Jeffrey R. Kuchel (Attorney) Crowley Fleck PLLP 305 South 4th Street East Suite 100 Missoula MT 59801 Representing: Robert G. Clinton Service Method: eService

E. Lars Phillips (Attorney) 1915 S. 19th Ave Bozeman MT 59718 Representing: Robert G. Clinton Service Method: eService

Jack Connors (Attorney) P.O. Box 1185 Helena MT 59624 Representing: R. Allan Payne Service Method: eService

Jacqueline Racquel Papez (Attorney) P.O. Box 1185 Helena MT 59624 Representing: R. Allan Payne Service Method: eService

> Electronically signed by Rose Dumont on behalf of Mark L. Stermitz Dated: 09-06-2024