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*Attorneys for Plaintiff/Appellant*

IN THE SUPREME COURT OF THE STATE OF MONTANA

GERARD GIRASOLE,

Plaintiff and Appellant,

vs.

PAWS UP RANCH, LLC, d/b/a THE  
RESORT AT PAWS UP,

Defendant and Appellee.

Supreme Court Cause No. DA 24-0537

NOTICE OF CHALLENGE  
TO THE CONSTITUTIONALITY  
OF AN ACT OF THE MONTANA  
LEGISLATURE

Notice is hereby given to the Supreme Court and to the Montana Attorney General that, in this action, the undersigned challenges the constitutionality of an act of the Montana legislature, namely: Mont. Code Ann. § 27-1-725 to -727. Neither the state nor any agency or any officer or employee thereof is a party to this action in the officer's or employee's official capacity.

This notice is given within 11 days of the filing of the notice of appeal, as required by M. R. App. P. 27.

DATED this 17<sup>th</sup> day of September 2024.

HEENAN & COOK, PLLC

By /s/Philip McGrady  
Philip McGrady  
*Attorneys for Plaintiff*

## CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of September 2024, a true and correct copy of the foregoing document, was served upon the following:

<input type="checkbox"/> U.S. Mail <input type="checkbox"/> FedEx <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Email <input checked="" type="checkbox"/> ECF Electronic filing	Eric R. Henkel W. Bridger Christian CHRISTIAN SAMPSON, PLLC 310 W. Spruce St. Missoula, MT 59802  <a href="mailto:eric@csblawoffice.com">eric@csblawoffice.com</a> <a href="mailto:bridger@csblawoffice.com">bridger@csblawoffice.com</a>
<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> FedEx <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Email <input type="checkbox"/> ECF Electronic filing	Austin Knudsen, Attorney General Office of the Attorney General 215 North Sanders P.O. Box 201401 Helena, MT 59620

DATED this 17<sup>th</sup> day of September, 2024.

By /s/ Philip McGrady  
HEENAN & COOK, PLLC

## **CERTIFICATE OF SERVICE**

I, Philip McGrady, hereby certify that I have served true and accurate copies of the foregoing Notice - Constitutional Question to the following on 09-17-2024:

Joseph Patrick Cook (Attorney)  
1631 Zimmerman Trail, Ste. 1  
Billings MT 59102  
Representing: Gerard Girasole  
Service Method: eService

Eric R. Henkel (Attorney)  
310 W. Spruce St.  
Missoula MT 59802  
Representing: Paws Up Ranch, LLC  
Service Method: eService

Electronically signed by Crissy Manhan on behalf of Philip McGrady  
Dated: 09-17-2024