

1 Darin K. Westover  
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3 Glacier Law Firm, PLLC  
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5 Kalispell, MT 59901  
6 (406) 552-4343  
7 *Attorneys for Appellant*

8 **IN THE SUPREME COURT OF THE STATE OF MONTANA**

9 **ESTATE OF TERRY ATHY; ALEX )  
10 ATHY, INDIVIDUALLY AND AS )  
11 PERSONAL REPRESENTATIVE OF THE )  
12 ESTATE OF TERRY ATHY. )**

13 Appellant, )

14 -vs- )

15 **EVI KALISPELL LLC; EDGEWOOD )  
16 KALISPELL SENIOR LIVING, LLC; )  
17 EDGEWOOD KALISPELL MEMORY )  
18 CARE; EDGEWOOD VISTA )  
19 KALISPELL; EDGEWOOD REIT, INC.; )  
20 EDGEWOOD OPERATIONS, INC.; )  
21 EDGEWOOD OPCO, LLC; EDGEWOOD )  
22 HEALTHCARE; EDGEWOOD )  
23 PROPERTIES MANAGEMENT LLC; )  
24 EDGEWOOD PROPERTIES, L.L.C.; )  
25 EDGEWOOD PROPERTIES, LLLP; )  
26 EDGEWOOD REAL ESTATE )  
27 INVESTMENT TRUST; JOHN DOES 1 – )  
28 10; and DOE BUSINESS ENTITIES X, Y, )  
and Z, )**

Appellee. )

**CAUSE NO.: DV-15-2023-1359**

**SELECTION OF MEDIATOR**

COME NOW the parties and advise that they have stipulated to and selected Shelly Brander as mediator for purposes of complying with the requirements of M. R. App. P. 7(4)(c).

Dated this 22<sup>nd</sup> day of April, 2025.

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GLACIER LAW FIRM, PLLC

By: /s/ Darin K. Westover,

*Attorney for Appellant*

MOORE, COCKRELL,

GOICOECHEA & JOHNSON, P.C.

By: /s/ Sean Goicoechea,

*Attorney for Appellee*

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CERTIFICATE OF SERVICE

I hereby certify that I have submitting for filing a true and accurate copy of the foregoing SELECTION OF MEDIATOR with the Clerk of the Supreme Court and that I have served a true and accurate copy upon the attorney of record in the above-referenced Supreme Court action, as follows:

Sean Goicoechea  
Moore, Cockrell, Goicoechea & Johnson,  
P.C.  
145 Commons Loop #200, Kalispell, MT  
59901  
Email: sgoicoechea@mcgalaw.com  
Telephone: (406) 751-6000  
Attorney for Defendants/Appellees

- Hand-Delivery
- U.S. First Class Mail
- Overnight Delivery Service
- Electronic Service
- Facsimile (include fax number in address)

Dated this 22<sup>nd</sup> day of April, 2025.

/s/ Ashton Wood  
*Paralegal*  
Glacier Law Firm, PLLC  
165 Commons Loop, Ste. 3  
Kalispell, MT 59901

## **CERTIFICATE OF SERVICE**

I, Darin Kirk Westover, hereby certify that I have served true and accurate copies of the foregoing Mediation - Selection of Mediator to the following on 04-22-2025:

Sean P. Goicoechea (Attorney)

PO Box 7370

kalispell MT 59904

Representing: Edgewood Healthcare, Edgewood Kalispell Memory Care, Edgewood OPCO, LLC, Edgewood Operations, Inc., Edgewood Properties, LLLP, Edgewood Real Estate Investment Trust, Edgewood Reit, Inc., Evi Kalispell, LLC, Edgewood Kalispell Senior Living, LLC, Edgewood Vista Kalispell, Edgewood Properties, LLC

Service Method: eService

Electronically signed by Ashton Wood on behalf of Darin Kirk Westover

Dated: 04-22-2025