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Attorneys for Little Fish Creek, LLC

**IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. DA 25-0570**

SIMKINS-HALLIN, INC., d/b/a
Simkins-Hallin Lumber Company

Plaintiff/Appellee,

v.

LITTLE FISH CREEK, LLC, a
Montana limited liability company.
DANIEL FREY, and FREY
CUSTOM CONSTRUCTION, LLC, a
Montana liability company.


Defendants/Appellant.

**LITTLE FISH CREEK, LLC’S
WITHDRAWAL OF NOTICE OF
APPEAL WITHOUT PREJUDICE**


Defendant Little Fish Creek, LLC (“LFC”), the Appellant above-named and who is one of the Defendants in that cause of action filed in the Second Judicial District Court, Silver Bow County, filed a Notice of Appeal on August 8, 2025. Counsel have since agreed that the Order appealed is not a final judgment. As such,

LFC hereby withdraws its Notice of Appeal without prejudice. Counsel for Plaintiff/Appellee has been contacted and does not oppose this motion.

DATED this August 14, 2025.

BY: 
Edward J. Guza
Sole Member of Little Fish Creek, LLC

E.J. GUZA & ASSOCIATES
A PROFESSIONAL LAW CORPORATION


BY: 
Lance F. Carl
Ryan Lorenz
Attorneys for Little Fish Creek, LLC

CERTIFICATE OF SERVICE

I, Ryan Lorenz, one of the attorneys for Little Fish Creek, LLC, hereby certify that I served a copy of the within, directed to the following by:

 X E-service

John M. Kauffman
Kasting, Kauffman and Mersen, P.C.
716 South 20th Avenue, Suite 101
Bozeman, Montana 59718
DATED August 14, 2025.


Ryan Lorenz
Attorney for Little Fish Creek, LLC

CERTIFICATE OF SERVICE

I, Ryan Lorenz, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 08-14-2025:

Lance F. Carl (Attorney)
25 Apex Drive, Suite A
Bozeman MT 59718
Representing: Little Fish Creek, LLC, Daniel Frey, Frey Custom Construction, LLC
Service Method: eService

John M. Kauffman (Attorney)
Kasting, Kauffman & Mersen, P.C.
716 S. 20th Suite 101
Bozeman MT 59718
Representing: Simkins-Hallin, Inc.
Service Method: eService

Electronically signed by Jessi Yulga on behalf of Ryan Lorenz
Dated: 08-14-2025