

ORIGINAL

FILED

03/04/2026

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 25-0454

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 25-0454

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FILED

MAR 04 2026

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

JUBILEE NESTA SARA DA',

Petitioner and Appellant,

v.

ORDER

CITY OF BOZEMAN,

Defendant and Appellee.

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Appellant Jubilee Nesta Sara Da' appeals the Eighteenth Judicial District Court's final judgment after a jury awarded her \$1,600,000 in damages arising from injuries she suffered when she was struck by a vehicle driven by Tasha Nelson. The jury found that the negligence of both Sara Da' and Nelson was a substantial factor in causing her injuries, apportioning 35% to Sara Da' and 65% to Nelson. The jury found that the City of Bozeman was not negligent for failing to exercise ordinary care to keep the intersection reasonably safe. The District Court granted NorthWestern Energy's motion for summary judgment on liability, and Sara Da' settled her claims against NorthWestern in appellate mediation.

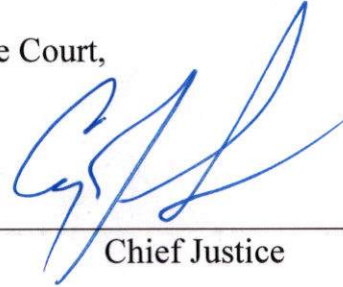
On appeal, Sara Da' challenges the trial court's rulings concerning the City of Bozeman's duty of reasonable care and the public duty doctrine. Nelson did not appeal the judgment against her and has not participated in appellate briefing. Her counsel did, however, file with this Court a notice that Nelson filed on July 22, 2025, a petition for relief under Chapter 7 of the U.S. Bankruptcy Code, and that a case is pending before the U.S. Bankruptcy Court for the District of Montana. Sara Da' and the City of Bozeman have completed their briefing, and the appeal recently was referred to the Court for consideration. Upon review, the Court deems it appropriate to obtain further information on the status of the Nelson bankruptcy.

IT IS THEREFORE ORDERED that, within twenty days of the date of this Order, counsel for the parties shall submit a joint report advising of the status of Nelson's bankruptcy proceeding and whether, if at all, the automatic stay imposed by 11 U.S.C. § 362 affects the consideration of this appeal.

The Clerk is directed to provide a copy of this Order to all counsel of record.

DATED this 4<sup>th</sup> day of March, 2026.

For the Court,



A handwritten signature in blue ink, appearing to be 'G. J.', is written over a horizontal line.

Chief Justice