

ORIGINAL

FILED

December 6 2013

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Case No. UA 13-0820

ROBERT WILLEMS, PHYLLIS WILLEMS, TOM BENNETT, BILL JONES, PHILIP WILSMAN, LINDA WILSMAN, JASON CARLSON, MICK JIMMERSON, DWAYNE CROOK, MARY JO CROOK, JAMES STUNTZ, RANDY BOLING, ROD BOLING, BOB KELLER, GLORIA KELLER, ROALD TORGESON, RUTH TORGESON, ED TIMPANO, JEANNIE RICKERT, TED HOGELAND, KEITH KLUCK, PAM BUTCHER, TREVIS BUTCHER, BOBBIE LEE COX, WILLIAM COX, AND DAVID ROBERTSON,

Plaintiffs and Appellants,

v.

STATE OF MONTANA, LINDA McCULLOCH, in her capacity as Secretary of State for the State of Montana,

Defendants and Appellees.

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DEC 06 2013

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

NOTICE OF APPEAL

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Attorney for Plaintiffs and Appellants

NOTICE is given that the Appellants, who are the above-named plaintiffs in that cause of action filed in the First Judicial District, in and for the County of Lewis & Clark, as Cause No. ADV 2013-509, hereby appeal to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 6th day of December, 2013.

THE APPELLANTS FURTHER CERTIFY:

1. That this appeal is not subject to the mediation process required by M. R. App. P. 7.

2. That this appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b).

3. That the notice under M. R. App. P. 27 has not been given because the State of Montana is already a party to this action.

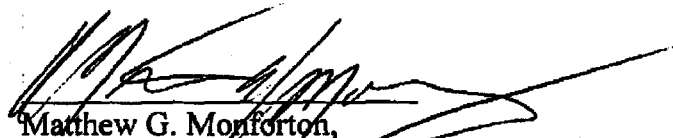
4. That all available transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal.

5. That included herewith is the filing fee prescribed by statute.

DATED: December 6 , 2013

Respectfully submitted,

By:


Matthew G. Monforton,
Attorney for Plaintiffs and Appellants

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court via facsimile at 4 p.m. on December 6, 2013, in accordance with Rule 10(1)(b) of the Montana Rules of Appellate Procedure; and that I have served, via U.S. Mail and email, true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

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DATED: December 6, 2013

Respectfully submitted,

By:


Matthew G. Monforton,
Attorney for Plaintiffs