

THE APPELLANT FURTHER CERTIFIES:

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2 1. That this appeal is subject to the mediation process required by M. R. App.
3 P. 7. The money judgment being sought is greater than \$5,000.00.

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

7 3. That the notice required by M. R. App. P. 27 has been given to the
8 Supreme Court of the State of Montana and to the Attorney General with respect
9 to a challenge to the constitutionality of any act of the Montana Legislature. (The
10 Notice to the Supreme Court and to the Montana Attorney General of the
11 Existence of a Constitutional Issue is attached hereto as Exhibit A).

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

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

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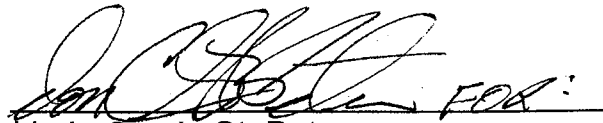
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1 Respectfully submitted this the 1st day of October, 2008.

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4 By:



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17 *Attorneys for Appellant*

18 *Admitted *pro hac vice*
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CERTIFICATE OF SERVICE

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I hereby certify that on the 1st day of October, 2008 I delivered a copy of the foregoing via US Mail to:

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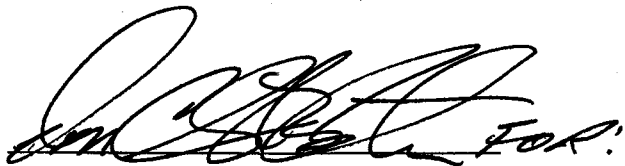
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Clerk of the Court
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Linda Osorio St. Peter