IN THE SUPREME COURT OF THE STATE OF MONTANA Supreme Court Cause No.

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JAN DONALDSON and MARY ANNE GUGGENHEIM, MARY LESLIE and STACEY HAUGLAND, GARY STALLINGS and RICK WAGNER, KELLIE GIBSON and DENISE BOETTCHER, JOHN MICHAEL LONG and RICHARD PARKER, and NANCY OWENS and MJ WILLIAMS, Appellants,))))) NOTICE OF APPEAL))
vs. STATE OF MONTANA, Appellee.	

NOTICE is given that the Appellants, who are the Plaintiffs in that cause of action filed in the First Judicial District Court of the State of Montana, in and for the County of Lewis and Clark, as Cause No. BDV-2010-702, hereby appeal to the Supreme Court of the State of Montana from the final Judgment entered in such action on the 21st day of April, 2011 and from the denial of the Motion to Amend/Alter Judgment filed May 6, 2011 and deemed denied on July 5, 2011.

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 required by M. R. App. P. 27 has not been given because the State of Montana is 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 this 4th day of August, 2011.

GOETZ, GALLIK & BALDWIN, P.C.

By:

James H. Goetz Benjamin J. Alke

and

AMERICAN CIVIL LIBERTIES UNION OF MONTANA FOUNDATION Elizabeth L. Griffing

MORRISON & FOERSTER LLP Ruth N. Borenstein Philip T. Besirof Neil D. Perry

AMERICAN CIVIL LIBERTIES UNION FOUNDATION Elizabeth O. Gill

Attorney for 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; and that I have served true and accurate copies of the foregoing Notice of Appeal upon the Clerk of the District Court, and each attorney of record, as follows:

	U.S. Mail	Steve Bullock, Montana Attorney General
	Federal Express	Jennifer Anders, Assistant Attorney General
Ø	Hand-Delivery	Office of the Montana Attorney General
Ö	Via Fax: (406) 444-3549	P.O. Box 201401
	E-mail:	Helena, MT 59620-1401
		and the second s
	U.S. Mail	Nancy Sweeney
	U.S. Mail Federal Express	Nancy Sweeney Clerk of the District Court
Ø □	Federal Express	Clerk of the District Court
Ø □	Federal Express Hand-Delivery	Clerk of the District Court Montana First Judicial District Court
Ø □	Federal Express Hand-Delivery Via Fax: (406) 447-8275	Clerk of the District Court Montana First Judicial District Court Lewis and Clark County

DATED this 4th day of August, 2011.

James H. Goetz Benjamin J. Alke