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MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY

FORWARD MONTANA, LEO GALLAGHER,
MONTANA ASSOCIATION OF CRIMINAL
DEFENSE LAWYERS, GARY ZADICK,

PLAINTIFFS,

v.

THE STATE OF MONTANA, BY AND
THROUGH GREG GIANFORTE, GOVERNOR,

DEFENDANT.

Cause No. ADV-2021-611
Judge Mike Menahan

**NOTICE OF WAIVER
OF RIGHT TO APPEAL**

The State of Montana hereby gives notice that it waives its right to appeal the Court's February 3, 2022, Order granting partial summary judgment to Plaintiffs. (Doc. 93). That Order permanently enjoins SB 319, Sections 21 and 22. (Doc. 93 at

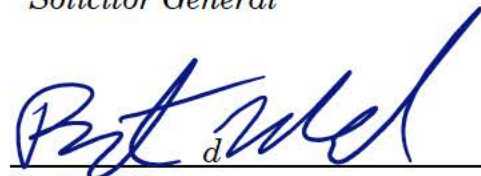
11). The State filed an unopposed motion to certify the February 3 Order as final pursuant to Rule 54(b). (Doc. 98). The Court granted this Motion on May 4, 2022. (Doc. 100). The intent of this Notice is to inform the parties and the Court that, upon further consideration, the State has determined it will not appeal the Court's February 3, 2022, Order.

The State reserves the right to appeal issues unrelated to the February 3, 2022, Order. This includes claims still pending before the Court and collateral issues such as attorneys' fees and costs. This Notice is only to clarify that the State will not appeal the judgment permanently enjoining SB 319, Sections 21 and 22 based on violations of article V, sections 11(1) and 11(3) of the Montana Constitution.

DATED this 11th day of May, 2022.

AUSTIN KNUDSEN
Montana Attorney General

DAVID M.S. DEWHIRST
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A handwritten signature in blue ink, appearing to read "Brent Mead", is written over a horizontal line.

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CERTIFICATE OF SERVICE

I certify a true and correct copy of the foregoing was delivered by email
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Date: May 11, 2022



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