

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. \_\_\_\_\_

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ATTORNEYS FOR APPELLANTS

**FILED**

JUL 29 2010

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

ROBERT FLYNN and CARL  
MILLER, Individually and on  
Behalf of Others Similarly Situated,

Appellants,

v.

**NOTICE OF APPEAL**

MONTANA STATE FUND and  
LIBERTY NORTHWEST  
INSURANCE CORPORATION,

Appellees.

\* \* \* \* \*


NOTICE is hereby given that Robert Flynn and Carl Miller, the above-named Appellants, who are the petitioners in Cause No. 2000-0222 in the Workers' Compensation Court of the State of Montana, hereby appeal to the Supreme Court of the State of Montana from the order entered in that action on July 1, 2010, which is entitled "ORDER RE: PAID IN FULL."

DOCKET ITEM NO. 624

THE APPELLANTS FURTHER CERTIFY:

1. That this appeal is subject to the mediation process required by Rule 7, M.R.App.P. The money judgment being sought is not less than \$5,000.
2. That this appeal is not an appeal from an order certified as final under Rule 54(b), M.R.Civ.P.
3. That this action does not involve a challenge to the constitutionality of any act of the Montana Legislature, and therefore no notice has been issued pursuant to Rule 27, M.R.App.P.
4. That no transcripts have been ordered for the purposes of this appeal, because no transcripts were generated in the underlying proceedings relevant to this appeal.
5. That included herewith is the filing fee prescribed by statute.

Dated this 28th day of July, 2010.

  
Rex Palmer  
ATTORNEYS INC., P.C.  
301 W Spruce  
Missoula, MT 59802  
(406) 728-4514  
*Attorneys for Plaintiff*

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA  
JUL 29 2010  
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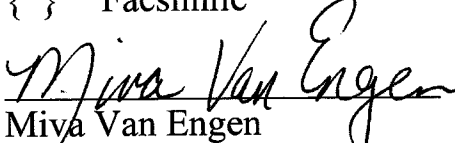
**CERTIFICATE OF SERVICE**

I hereby certify that on the 28th day of July, 2010, a true and correct copy of the foregoing Notice of Appeal was served upon the following by U.S. mail, hand-delivery, Federal Express, or facsimile:

Clara Wilson  
Clerk of the Montana Workers' Compensation Court  
1625 11th Avenue  
P.O. Box 537  
Helena, MT 59624-0537

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July 28, 2010

Clara Wilson  
Clerk of the Montana Workers' Compensation Court  
1625 11th Avenue  
P.O. Box 537  
Helena, MT 59624-0537

Re: Appeal in *Flynn v. State Fund*, Cause No. 2000-0222, Workers' Compensation Court

Dear Clara:

Enclosed please find the NOTICE OF APPEAL, dated July 28, 2010, arising from the above-entitled action.

If you have any questions or concerns, please do not hesitate to contact this office.

Sincerely,  
ATTORNEYS INC., P.C.



Rex Palmer

RP:mve  
Enclosures