IN THE SUPREME COURT OF THE STATE OF MONTANA
No. _____

STATE OF MONTANA ET AL.,

Petitioners,

v.

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY, THE HONORABLE MICHAEL G. MOSES, PRESIDING,

Respondent.

PETITION FOR WRIT OF SUPERVISORY CONTROL

AUSTIN KNUDSEN
Montana Attorney General

MONTANA DEPARTMENT OF JUSTICE
P.O. Box 201401
Helena, MT 59620-1401
Phone: 406-444-2026
Fax: 406-444-3549
david.dewhirst@mt.gov
kathleen.smithgall@mt.gov

DAVID M.S. DEWHIRST
Solicitor General
KATHLEEN L. SMITHGALL
Assistant Solicitor General

EMILY JONES
Special Assistant Attorney General
JONES LAW FIRM
115 N. Broadway, Suite 410
Billings, MT 59101
Phone: 406-384-7990
emily@joneslawmt.com

Attorneys for Petitioners

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Cases

Other Authorities

Montana Code Annotated

Montana Rules of Appellate Procedure

Publications

INTRODUCTION

In the district court's clarification order, the district court imputed bad faith to both the State's attorneys and DPHHS. Throughout the argument, the district court accused them of "thumbing their nose" at, "circumventing," and "sneak[ing]" around the district court's preliminary injunction order.[1] Of course, the court had no basis for these accusations other than the fact that DPHHS promulgated the 2022 Rule. But more concerning yet is the district court's failure to address any of the State's legal arguments on the court's April 2022 preliminary injunction order, each of which was made with support in both law and logic. The court did not order DPHHS to revert to the 2017 Rule. The reversion was not automatic given the procedural posture of this case. And the district court lacks the authority to order DPHHS to return to the 2017 Rule. The district court's order goes far beyond the scope of the issues and the parties in this case, forces the agency to comply with a nonexistent rule and to violate its own validly promulgated rule, and provides Plaintiffs

[1] Ex.C, 51:15; *see also, e.g.*, Ex.C, 25:19; 51:8–9; 52:4; 54:12; 55:22.

with substantially all the relief they request at a preliminary stage of the litigation.[2]

I. Standard

This petition asks this Court to exercise its supervisory control pursuant to Montana Rule of Appellate Procedure 14(3) and stay the district court's September 19, 2022, order directing DPHHS to revert to the 2017 administrative rule regarding amendments to birth certificates. This Court has made clear that a writ of supervisory control may only be invoked when a case involves purely legal questions and urgent or emergency factors. Mont. R. App. P. 14(3); *see also Barrus v. Mont. First Jud. Dist. Ct.*, 2020 MT 14, ¶ 17, 398 Mont. 353, 456 P.3d 577. The case must also meet at least one additional criteria: (1) the district court must be proceeding under a mistake of law causing gross injustice; (2) the case involves constitutional issues of statewide importance; or (3) at issue is the grant or denial of a motion for substitution in a criminal case. Mont. R. App. P. 14(3)(a)–(c). Here, the questions requiring a writ are pure questions of law. Urgency factors exist that warrant swift resolution.

[2] To minimize the number of exhibits, the State has only attached the documents cited in this petition.

And the district court is proceeding under a mistake of law causing gross injustice and involving constitutional issues of statewide importance. This case cries out for supervisory control.

The issues at this stage in the proceeding are purely legal. The first question is whether the district court originally ordered DPHHS to reinstate the 2017 Rule in its preliminary injunction order. If it did not, then the court must ask whether the 2017 Rule automatically resumed effect when the court issued the injunction. If the district court did not order reinstatement of the 2017 Rule and the 2017 Rule was not, in fact, immediately reinstated, then the court's late-breaking "clarification" to that effect constitutes a substantive amendment to its original order. But a court cannot "clarify" by substantively amending a prior order—doing so constitutes an error of law. *See Meine v. Hren Ranches, Inc.*, 2020 MT 284, ¶ 19, 402 Mont. 92, 475 P.3d 748 ("[C]larification does not involve of effect a substantive alteration or amendment of the prior judgment.").

If the district court did order the 2017 Rule to go into effect, or the 2017 Rule automatically went into effect when the court enjoined SB 280, then the next question is whether the agency could undertake new rulemaking pursuant to its independent rulemaking authority separate

and apart from SB 280. If the agency was free to undertake independent rulemaking, then the court's order for DPHHS to comply with the 2017 Rule was an error of law—the agency exercised its lawful rulemaking authority and can implement the 2022 Rule. And if the district court did directly or indirectly enjoin the agency from undertaking independent rulemaking, then this decision was also an error of law because the agency's rulemaking authority lies completely outside the scope of this litigation, which only challenges SB 280.

"Urgency and emergency factors" also exist, "making the normal appeals process inadequate." Mont. R. App. 13(3). The agency has in place the 2022 Rule for processing these birth certificates. The district court's order now mandates that the agency return to the rescinded 2017 Rule and enforce the 2017 Rule, all the while agreeing that it was "not going to get to th[e] issue" of the 2022 Rule.[3] The agency, therefore, finds itself in a legally and factually impossible position To comply with the district court's "clarification," it must follow the 2017 Rule for the duration of this case; but it must also implement the 2022 Rule, duly

[3] Ex.C, 20:6-7; *see also* Ex.C, 55:2-3. The district court is correct, of course, that it lacks jurisdiction to address the 2022 Rule.

adopted by notice and comment and unquestionably in effect, which—according to Plaintiffs and the district court—directly contradicts the 2017 Rule. The court ordered DPHHS to revert to a rescinded rule on pain of contempt, while also being told that it can keep the present rule on the books.[4] As long as the agency complies with the court's order, it violates its own rules and exposes itself to potential liability under MAPA. If the agency were to continue to implement the 2022 Rule, it would risk contempt of court. The district court's clear mistake of law also causes injustice to the State and the citizens of Montana. Mont. R. App. 13(3)(a). While simultaneously mocking the State's arguments as "demonstrably ridiculous," the district court has now effectively ordered DPHHS to comply with two different rules and enjoined the agency from exercising its general rulemaking authority. Ex.B, ¶ 19. This clarification order substantively amends the district court's original order, far exceeds the scope of this litigation, and gives Plaintiffs final relief at the preliminary injunction stage of proceedings.

[4] Despite DPHHS's objection to the district court's order, the Department has directed its Office of Vital Records to re-establish the 2017 amendment process to comply with the clarification order.

II. Procedural History

Plaintiffs wrote their complaint, and the amended complaint, under which this case is proceeding. And they only challenged the constitutionality of SB 280. SB 280 is a law—a legislative act passed by the Montana Legislature and signed into law by Governor Gianforte. SB 280 states that a person's sex designation on his or her birth certificate can only be changed if DPHHS receives a court order indicating that the sex of the person born in Montana was changed through surgery. It then directs DPHHS to undertake rulemaking in conformity with this act. SB 280 was effective upon passage on April 30, 2021.

At the direction of the Legislature in SB 280, DPHHS undertook the notice and comment rulemaking process, creating a new rule (the "2021 Rule") that included the identical standard from SB 280 and explicitly rescinded the 2017 Rule.

The district court found that Plaintiffs met their burden showing that the standard set forth *in SB 280* was unconstitutionally vague.[5] Because the order enjoined the state "from enforcing any aspect of SB 280," DPHHS could no longer enforce the identical standards contained in the 2021 Rule. But because the 2021 Rule was not directly enjoined, the court did not, nor could it, touch the rescission provision. There was, then, no rule or process in effect that DPHHS could use to process applications for birth certificate sex designation changes. The 2022 Rule,

[5] The district court chastised the State's attorney for "misrepresenting" and "mischaracterizing" his order. Ex.C, 29:5–10; 34:24–25. The State agrees that SB 280 was enjoined. But the preliminary injunction was based solely on the court's conclusion that Plaintiffs met their burden on the vagueness claim. The district court tried to distinguish its vagueness conclusion and its conclusion that the statute "was unconstitutional." Ex.C, 29:11–13 ("Oh, there is a problem with void for vagueness, yes. But the order was that it was unconstitutional. You mispresent the order."). But the order that the statute *might be* unconstitutional was based on vagueness grounds. There weren't two distinct findings. The State's characterization was not only accurate, it's the only sensible reading of the district court's preliminary injunction order. *Compare* Ex.C, 34:24–25 ("You incorrectly read my ruling. I didn't limit the ruling to the vagueness question") *with* Ex.A, ¶ 170 ("The Court finds that Plaintiffs have established a prima facie case that SB 280 [sic] impermissibly vague in all of its applications and thereby unconstitutionally violates Plaintiffs' fundamental right to due process because it is unconstitutionally void. Given this finding, the Court need not address the remaining contentions made by Plaintiffs.").

issued under separate DPHHS rulemaking authority, filled this regulatory gap.

The district court accused the State Defendants of engaging in "needless legal gymnastics." Ex.B, ¶ 21. But DPHHS merely responded to the realities of the court's order and Plaintiffs' pleading decisions.

Statutes and administrative rules are different—they're created, memorialized, and challenged differently. The district court enjoined SB 280, which was the statute Plaintiffs challenged. The district court never enjoined the 2021 Rule, which can only be challenged under MAPA—which Plaintiffs did not do. The district court does not have authority over the 2021 Rule simply because it contains an identical standard to the standard contained in the enjoined law. DPHHS did not enforce the SB 280 requirements pursuant to the district court's finding, but it could continue to enforce the rescission of the 2017 Rule.

ARGUMENT

I. The district court did not originally order DPHHS to reinstate the 2017 Rule.

The district court claims that its preliminary injunction order required DPHHS to return to operating under the 2017 Rule. It didn't. The district court enjoined Defendants "from enforcing any aspect of SB

280 during the pendency of this action *according to the prayer of the Plaintiffs' motion and complaint*."[6] Order at 35 (emphasis added). In both Plaintiffs' amended complaint and their preliminary injunction briefing, Plaintiffs requested that the district court declare SB 280 both unconstitutional and illegal and enjoin Defendants from enforcing it. As a result of the district court finding that Plaintiffs met their burden on the vagueness claim, DPHHS stopped enforcing SB 280 requirements (the standards contained in both SB 280 and the 2021 Rule).

Fundamentally, the district court lacks jurisdiction to require DPHHS to enjoin the 2021 Rule or reinstate the 2017 Rule. *See Fuller v. Frank*, 916 F.2d 558, 563 (9th Cir. 1990) (noting the court cannot consider claims outside the Complaint); *Donnes v. State*, 206 Mont. 530, 537, 672 P.2d 617, 621 (1983) (refusing to consider issues not pled). In a case like this—where Plaintiffs challenge *only* the validity of a statute—courts are powerless to order agencies to affirmatively undertake proceedings that would reinstate a former agency rule. *See Clark Fork Coal. v. Tubbs*, 2016 MT 229, ¶ 25, 384 Mont. 503, 380 P.3d 771 (issuing a final judgment invalidating a rule revision and reverting to the prior rule where

[6] Plaintiffs' Prayer for Relief. Ex.D.

plaintiffs specifically asked for both forms of relief); *Burns v. Musselshell*, 2019 MT 291, ¶ 17 (distinguishing a challenge to an administrative rule from a challenge to a statute). Statutes and rules are distinct legal creatures, and only when plaintiffs challenge the validity of both may courts enter remedial action targeting both.

Here, Plaintiffs only challenged SB 280 and have obtained a preliminary injunction against it. Logically, the district court's injunction prevents DPHHS from *enforcing* the requirements contained in the 2021 Rule—because that Rule implements SB 280's precise terms. But the court did not and cannot now declare the 2021 Rule (and its rescission of the 2017 Rule) invalid. Plaintiffs didn't make the 2021 Rule's validity a question in this case. MCA § 2-4-506; *see also, e.g.,* C*ore-Mark Int'l, Inc. v. Mont. Bd. Of Livestock,* 2014 MT 197, ¶ 23, 376 Mont. 25, 329 P.3d 1278 ("[A] party may seek a declaratory judgment that an administrative rule is invalid or inapplicable under [MAPA]"); *Pennaco Energy, Inc. v. Mont. Bd. Of Env't Rev.*, 2008 MT 425, ¶ 23, 347 Mont. 415, 199 P.3d 191 (requiring parties to challenge administrative rules under MAPA); *Lohmeier v. State*, 2008 MT 307, ¶ 17, 346 Mont. 23, 192 P.3d 1137 (same).

The district court refused to hear the State's argument that the automatic reversion rule Plaintiffs point to doesn't apply here for two reasons. First, the district court did not declare the rule invalid—it only preliminarily enjoined the statute that served as the basis for the 2021 Rule. *See Clark Fork*, ¶ 25. This preliminary ruling was the basis for the language contained in the 2022 Rule that subsection (5)(b) only applies while subsection (5)(a) is enjoined. ARM 37.8.311(5). Unlike in *Clark Fork*, where the rule was invalidated at the final judgment stage, the district court here only determined that Plaintiffs met a prima facie burden on their statutory vagueness claim. Ex.A, ¶ 170. In other words, the district court has not invalidated SB 280, let alone invalidated an administrative rule Plaintiffs never challenged. *See, e.g.*, *Clark Fork*, ¶ 25; *see also In re O'Sullivan*, 117 Mont. 295, 304, 158 P.2d 306, 310 (1945).

Second, because Plaintiffs defined the scope of this lawsuit as a challenge to SB 280, rather than a challenge to the 2021 Rule, *Clark Fork*'s automatic reversion doesn't apply here. *See* Ex.D. In *Clark Fork*, the validity and enforceability of the administrative rule was squarely at issue, and the plaintiffs sought relief *from that rule*. *Clark Fork*, ¶ 41;

see also In re O'Sullivan, 117 Mont. at 304, 158 P.2d at 310 (declaring a new statute unconstitutional on the merits and reaffirming the well-settled rule that "an unconstitutional statute enacted to take the place of a prior statute does not affect the prior statute."). Here, Plaintiffs sought relief only from SB 280, which they got. DPHHS has not enforced SB 280's process since the district court issued the preliminary injunction.

Rather than engaging with these jurisdictional realities, the district court simply concluded that his preliminary injunction order intended to do something about the 2021 Rule and the now-defunct 2017 Rule. He explained that because preliminary injunctions are intended to preserve the status quo and he had included a definition of the status quo, his order therefore *implied* that the 2021 Rule was also enjoined and

that the 2017 Rule must resume effect.[7] But the parties, the district court, and this Court, cannot extrapolate all that meaning from the district court's cursory statement that the status quo is the "last, actual, peaceable, noncontested condition that preceded the pending controversy." That's not what his order said or fairly implied. Yet even if it had said so explicitly, courts cannot issue orders in the absence of jurisdiction. Plaintiffs limited their lawsuit to a pure challenge of SB 280; that delimits the court's reach. The court here erred when it refused to respect those limits. *See Fuller*, 916 F.2d at 563; *Donnes*, 206 Mont. at 537, 672 P.2d at 621.

II. Ordering the reinstatement of the 2017 Rule constitutes an improper mandatory injunction.

Because the 2017 Rule did not automatically rematerialize and

[7] The district court noted that it agreed there was a "legal question as to … what could be done and what couldn't be done as to status quo" until May 17, 2022. Ex.C, 55:25–56:1-5. The district court argued that this Court's decision in *Montana Democratic Party v. Jacobsen*, DA 22-0172, on May 17, 2022, fundamentally altered this landscape. As an initial matter, this Court's decision made clear that the status quo depends, in part, on the facts specific to a case. Based on the facts in *Jacobsen*, the status quo had changed. More importantly, nothing in this Court's decision held that a district court can reach outside the scope of the case before it to maintain the status quo. Finally, a Supreme Court decision cannot alter a preliminary injunction in a separate case without any action by the district court.

resume effect, the district court's "clarification" order directing DPHHS to reinstate the 2017 Rule constitutes a mandatory injunction that Plaintiffs never requested. Such a mandatory injunction falls outside the scope of the litigation—as Plaintiffs have defined it—and the court erred as a matter of law when it directed DPHHS to reinstate a previously rescinded agency *rule* after a preliminary finding regarding a *statute*.

As explained in briefing below, Montana law does not provide for supplemental, mandatory relief at the preliminary injunction stage. Ex.E, 11–12. Moreover, even if Plaintiffs could seek a mandatory injunction to "compel a restoration of the status quo," they failed to plead or satisfy any court's standard for obtaining one. The Ninth Circuit requires a showing of "extreme or very serious damage" where the merits of the case are not "doubtful." *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d 873, 879 (9th Cir. 2009); *see also Tom Doherty Assocs. v. Saban Ent., Inc.*, 60 F.3d 27, 34 (2d Cir. 1995) (requiring a showing of "extreme or very serious damage"). The Sixth Circuit, the circuit with the lowest standard for obtaining a mandatory injunction, require plaintiffs to satisfy the four preliminary injunction factors. *United Food & Com. Workers Union, Local 1099 v. Sw. Ohio*

Reg'l Transit Auth., 163 F.3d 341, 348 (6th Cir. 1998). The district court explicitly said it did not have to find that Plaintiffs were likely to succeed on the merits of their claims at the preliminary injunction stage, so Plaintiffs fail to meet even the most basic standard for a mandatory injunction. Ex.A, ¶ 147.[8]

III. Requiring DPHHS to reinstate the 2017 Rule grants Plaintiffs' final relief.

Amending one's birth certificate requires a single transaction between an individual and DPHHS. But if DPHHS prevails on the merits of this lawsuit, then the State has no recourse to correct the birth certificates for any individual who is permitted to change their birth certificate while the preliminary injunction is in place. This is problematic for two reasons.

First, this is not a class action. The district court doesn't have the authority to "determine the rights of persons not before the court" or issue an injunction where it lacks personal jurisdiction over the parties. *Zepeda v. U.S. Immigr. Serv.*, 753 F.2d 719, 727 (9th Cir. 1983). Under

[8] To the extent the Court found that Plaintiffs were likely to succeed on the merits, it only found they were likely to succeed on their vagueness claim.

the district court's clarification order, the State must change *any* individual's birth certificate under the procedures set forth in the 2017 Rule.[9] The district court's order, therefore, grants relief far outside this case.[10]

Second, the district court's clarification order grants Plaintiffs all the relief they ultimately seek. Plaintiffs Marquez and Doe—the only two Plaintiffs in this case—are now free to amend their birth certificate. Courts disfavor preliminary relief that grants substantially all of the relief that the parties in the case could recover at the conclusion of a full trial on the merits; as such, courts require the parties to meet the same heightened burden as they do for a mandatory injunction. 5D Charles Alan Wright & Arthur R. Miller, *Federal Practice & Procedure* § 2948,

---

[9] At a minimum, this Court should clarify that the scope of the district court's order can only apply to Plaintiffs Marquez and Doe.

[10] Notably, neither Marquez nor Doe has attempted to amend their birth certificates to date. Their failure to apply to amend their birth certificates presents a serious issue at this particular junction in litigation. They are effectively able to secure widespread relief for all Montanans—who are not part of this case as it is not a class action—without even attempting to secure relief for themselves, thereby keeping the case alive. Either Plaintiffs, themselves, face such urgent harms that a preliminary injunction is warranted, or those harms are speculative and remote, and the relief can wait until resolution of the merits. They can't have it both ways.

Grounds for Granting or Denying a Preliminary Injunction (3d ed. 2018); *see also Yang v. Kosinski*, 960 F.3d 119, 127–28 (2d Cir. 2020); *Kikumura v. Hurley*, 242 F.3d 950, 955 (10th Cir. 2001). Plaintiffs fail to do so here for the reasons discussed above. *See supra* Section II.

Because Plaintiffs, and anyone else, will be able to receive all the relief they requested, DPHHS will not be able to enforce SB 280 against Plaintiffs, or the others who changed their birth certificate, even if DPHHS ultimately succeeds on the merits. Awarding Plaintiffs substantially all of the relief they seek at this stage of the litigation "is similar to the 'Sentence first—Verdict Afterwards' type of procedure parodied in Alice in Wonderland." *SCFC ILC, Inc.*, 936 F.2d at 1099.[11] Such a concept is an "anathema to our system of jurisprudence." *Id.*

IV. The court's order constituted a substantive amendment to a previous order.

As explained above, the preliminary injunction didn't order DPHHS to reinstate the 2017 Rule, and the 2017 Rule did not automatically resume effect given the unique procedural nature of this lawsuit. Accordingly, the district court's "clarification" order that DPHHS must

[11] L. Carrol, *Alice's Adventures in Wonderland* ch. 12 (1865).

return to the 2017 Rule constitutes a substantive amendment of a previous order. This is an error of law.

Courts may only clarify a previous order insofar as they "more precisely explain or specify the original meaning or effect of the judgment or provide additional specification necessary to implement it." *Meine*, ¶ 19. They cannot substantively alter or amend the prior judgment. *Id.* Notwithstanding the district court's claims to the contrary, that's exactly what it did. Accordingly, the district court's clarification order was contrary to law.

V. The effect of the current order is to enjoin the agency's general rulemaking authority which is not at issue.

Finally, the district court's order effectively enjoins DPHHS's general rulemaking authority—something not at issue in this case. But it is common practice for legislatures and agencies to respond to injunctions with new laws or policies. A court's preliminary injunction simply cannot have the effect of freezing all of government on a particular issue. The district court accused DPHHS of circumventing its order to promulgate a new rule while simultaneously circumventing its jurisdictional bounds to accomplish indirectly what it could not do directly: prohibit DPHHS from implementing the 2022 Rule. The district

court mandated that DPHHS process birth certificates in accordance with the 2017 Rule on pain of contempt, even though the 2022 Rule remains the only un-enjoined law on the books. The court cannot indirectly enjoin the 2022 Rule, which is not at issue in this case.

CONCLUSION

The district court suggests that ruling in favor of the State will permit parties to bypass judicial orders altogether. This is simply untrue. Lower courts don't get to award plaintiffs relief that they never sought on claims they never pled.

This case raises questions of great constitutional importance, and the questions raised in this petition strike the heart of our tripart system of government. Plaintiffs challenged only a law passed by the Legislature and signed by the Governor. They now seek relief from a rule duly promulgated by an executive agency. The district court was limited to deciding the case or controversy before it: the constitutional challenge to the legislative act. Its clarification order clearly reaches outside that scope. These questions must be decided in a court of law, not in the comment sections of newspaper articles, Twitter threads, or law review symposia. This Court should (1) grant this petition; (2) stay the district

court's clarification order; (3) enforce the original preliminary injunction order that did not require DPHHS to enforce the 2017 Rule; and (4) permit the parties to proceed to the next stage of litigation in the district court.

DATED this 23rd day of September, 2022.

AUSTIN KNUDSEN
Montana Attorney General
DAVID M.S. DEWHIRST
Solicitor General

/S/ Kathleen L. Smithgall
KATHLEEN L. SMITHGALL
Assistant Solicitor General

MONTANA DEPARTMENT
OF JUSTICE
P.O. Box 201401
Helena, MT 59620-1401
Phone: 406-444-2026
Fax: 406-444-3549
david.dewhirst@mt.gov
kathleen.smithgall@mt.gov

EMILY JONES
Special Assistant Attorney General
JONES LAW FIRM
115 N. Broadway, Suite 410
Billings, MT 59101
Phone: 406-384-7990
emily@joneslawmt.com

Counsel for the State of Montana

CERTIFICATE OF COMPLIANCE

Pursuant to Rule 14 of the Montana Rules of Appellate Procedure, I certify that this principal brief is printed with a proportionately spaced Century Schoolbook text typeface of 14 points; is double-spaced except for footnotes and for quoted and indented material; and the word count calculated by Microsoft Word for Windows is 3,998 words, excluding cover page, table of contents, table of authorities, certificate of service, certificate of compliance, signature, and any appendices.

/s/ Kathleen L. Smithgall
KATHLEEN L. SMITHGALL

INDEX OF EXHIBITS

CERTIFICATE OF SERVICE

I, Kathleen Lynn Smithgall, hereby certify that I have served true and accurate copies of the foregoing Petition - Writ to the following on 09-23-2022:

Elizabeth A. Halverson (Attorney)
1302 24th Street West #393
Billings MT 59102
Representing: Amelia Marquez, John Doe
Service Method: eService

Akilah Maya Lane (Attorney)
2248 Deerfield Ln
Apt B
Helena MT 59601
Representing: Amelia Marquez, John Doe
Service Method: eService

Alexander H. Rate (Attorney)
713 Loch Leven Drive
Livingston MT 59047
Representing: Amelia Marquez, John Doe
Service Method: eService

Emily Jones (Attorney)
115 North Broadway
Suite 410
Billings MT 59101
Representing: State of Montana, Governor Greg Gianforte, MT Department of Public Health and Services, Charles Brereton
Service Method: eService

David M.S. Dewhirst (Govt Attorney)
215 N Sanders
Helena MT 59601
Representing: State of Montana, Governor Greg Gianforte, MT Department of Public Health and Services, Charles Brereton
Service Method: eService

Michael G. Moses (Respondent)
217 N. 27th Street, Rm. 605

Billings MT 59107
Representing: Self-Represented
Service Method: Conventional

Electronically signed by Dia Lang on behalf of Kathleen Lynn Smithgall
Dated: 09-23-2022