

FILED

12/08/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 16-0491

FILED
Case Number: DA 16-0491

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

SUSAN THOMAS,

Plaintiff and Appellee,

v.

ORDER

LIBERTY NORTHWEST INSURANCE CO.,

Defendant and Appellant.

M. R. App. P. 12(1)(f) requires that the argument portion of a brief be preceded by a summary, under an appropriate heading, which contains a succinct, clear, and accurate statement of the arguments made in the body of the brief and is not a mere repetition of the argument headings.

M. R. App. P. 12(1)(d) requires that all briefs filed with this Court contain a statement of the facts relevant to the issues presented for review, with references to the pages or the parts of the record at which material facts appear. Furthermore, M. R. App. P. 12(9) provides that a reference to the record must be to particular parts of the record, suitably designated, and to specific pages of each part (e.g., Answer, p. 7; Motion for Summary Judgment, p. 3; Transcript, p. 231) and that a reference to an exhibit shall be made to the pages of the transcript on which the exhibit was identified, offered, and received or rejected

The Court has determined that Appellee's brief filed December 7, 2016, does not comply with the referenced rules.

IT IS ORDERED that the signed original and nine copies of the referenced brief be, and are hereby, returned for revisions necessary to comply with the specified rule;

IT IS FURTHER ORDERED that no other changes, additions or deletions may be made to the brief as originally filed;

IT IS FURTHER ORDERED that the signed original and nine copies of the revised brief ordered herein be filed within ten days of the date of this Order with the Clerk of the Supreme Court and one copy of each revised brief be served on counsel of record;

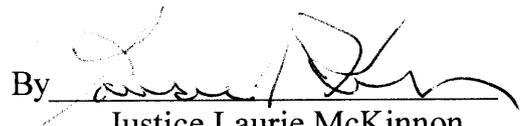
IT IS FURTHER ORDERED that the postage costs for returning the referenced copies of Appellee's brief will be billed to Appellee's counsel by the Clerk of the Supreme Court and shall be due and payable upon receipt; and

IT IS FURTHER ORDERED that the times for any subsequent briefing contained in M. R. App. P. 26 shall run from the date of refileing of the brief being returned this date.

The Clerk is directed to mail a true copy of this Order, together with all copies of Appellee's brief, to counsel for Appellee and to mail a true copy of this Order to all counsel upon whom the brief was served.

DATED this 7th day of December, 2016.

For the Court,

By 
Justice Laurie McKinnon