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DISTRICT COURT
TERRY HALPIN

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2022 JAN 19 P 1:44

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BY

MONTANA THIRTEENTH JUDICIAL DISTRICT, YELLOWSTONE COUNTY

* * * * *

GARY McDANIEL, SUSAN McDANIEL,
on behalf of themselves and all others
similarly situated.

Plaintiffs,

CITY OF BILLINGS,

Defendant.

Cause No. DV 19-1444

**PARTIAL SUMMARY JUDGMENT
(COUNTS II AND III)**

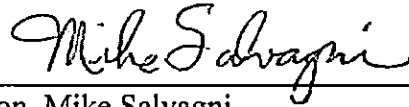
On January 5, 2022, the Court entered a Decision and Order on the City of Billings' Motion for Partial Summary Judgment (Counts II and III) Pursuant to Mont. R. Civ. P. (Ct. Doc. 98). The Court granted the City's Motion for partial summary judgment and dismissed Plaintiffs' claims under Count II (breach of contract) and Count III (restitution) of Plaintiffs' Complaint. Based upon the Court's Decision and Order, the Court enters the following partial summary judgment:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Partial Summary Judgment is entered in favor of Defendant City of Billings and against Plaintiffs Gary McDaniel and Susan McDaniel on Counts II and III of Plaintiffs' Complaint. Counts II and III are DISMISSED, with prejudice.

2. Pursuant to Rule 54 M.R.Civ.P., this is not a final judgment.

Dated January 19, 2022.

A handwritten signature in cursive script that reads "Mike Salvagni". The signature is written in black ink and is positioned above a horizontal line.

Hon. Mike Salvagni
Presiding Judge

cc: Matthew G. Monforton
Doug James
Bryce Burke

MONTANA, THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

Gary McDaniel, et al.)	Case No. DV 19-1444
Plaintiffs,)	
)	Judge Michael Salvagni
Vs.)	
City of Billings,)	CERTIFICATE OF SERVICE
Defendant.)	

On this 19th day of January 2022, the Clerk of District Court certifies that a true and correct copy of the Partial Summary Judgment (Count II and III) Pursuant to Mont.R.Civ.P56 under seal was mailed, first class, postage paid, to the following parties:

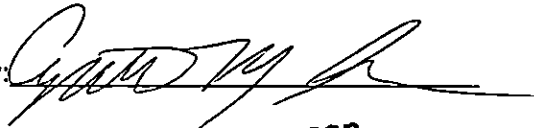
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TERRY HALPIN

By: 
Cynthia Swenson