

Certificate of Mailing

I, Abigail Dupuis, Appellate Court Administrator, do hereby certify that on this 18th day of December, 2023, I served a true and correct copy of the *Order to Dismiss* to the persons specified at the addresses below as follows:

**Justin Kalmbach
Kalmbach Law Office, PLLC
PO Box 249
Polson, MT 59860**

**Loren Fitzpatrick, Esq.
PO Box 933
Polson, MT 59855**

**Malia Hamel
CSKT Clerk of Tribal Court
PO Box 278
Pablo, MT 59855**



**Abigail Dupuis
Appellate Court Administrator**

FILED

21-0-23/01
Court of Appeals

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7 Loren Fitzpatrick, Esq.
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8 Polson, MT
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Attorney for Appellee.

11 **IN THE TRIBAL COURT OF APPEALS FOR THE CONFEDERATED SALISH &**
12 **KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, PABLO, MONTANA**

13 H & D MEAT PROCESSING & AUTO
REPAIR, LLP, a Montana Limited Liability
14 Partnership, DONALD PIERCE, partner of H &
D MEAT PROCESSING & AUTO REPAIR,
15 LLP

Appellate Cause No. 21-0079 - AP

Tribal Court Cause No. 21-0079 - CV

16 Appellant,

17 vs.

18 HENRY SYMINGTON, partner of H & D
MEAT PROCESSING & AUTO REPAIR, LLP

**STIPULATION FOR VOLUNTARY
DISMISSAL**

19 Appellee,
20

21 Appellant Donald Pierce, through his attorney, Justin Kalmbach of Kalmbach Law Office,
22 PLLC, and Appellee Henry Symington, though his attorney, Loren Fitzpatrick of Fitzpatrick Law,
23 PLLC, and stipulate to this voluntary dismissal pursuant to CSKT Rules of Appellate Procedure
24 22.

25 The parties stipulate as follows:

- 1 1. In consideration of dismissing this appeal with prejudice, the parties shall retain all
2 property and assets of H & D Meat Processing and Auto Repair LLP (Business) that
3 is in their respective possessions.
- 4 2. The parties release and waive any further claims against the other and/or against the
5 Business.
- 6 3. Neither party is entitled to any further distribution from the Business.
- 7 4. Neither party is entitled to any further distribution or contribution from the other party.
- 8 5. Neither party shall use the Business' name of H & D Meat Processing and Auto Repair
9 LLP.
- 10 6. Neither party shall further bind the Business.
- 11 7. The Business shall cease operating and be dissolved. Donald Pierce is authorized to
12 file the necessary dissolve the business with the Montana Secretary of State. Mr.
13 Symington shall comply and sign any necessary documentation to cancel the
14 registration with the Montana Secretary of State pursuant to MCA § 35-10-721.
- 15 8. Parties shall each be responsible for their own attorney's fees.
- 16 9. The parties consent to the Court entering the terms of this stipulation as an order and
17 dismissing this matter with prejudice.

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19 Dated this 3rd day of August, 2023.

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21 **Kalmbach Law Office, PLLC**

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23 Justin Kalmbach
24 Attorney for Appellant

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Dated this 3rd day of August, 2023.

Fitpatrick Law, PLLC


Loren Fitzpatrick
Attorney for Appellee

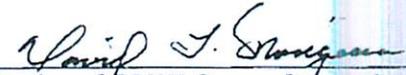
ORDER

HAVING considered the foregoing Stipulation between the parties, and for good cause shown, the Stipulation is adopted and incorporated by reference herein. The parties shall comply with all terms of the above Stipulation. The matter is dismissed with prejudice.

SO ORDERED.

Dated this 8th day of ^{AUGUST}~~May~~, 2023.




Justice of CSKT Court of Appeals

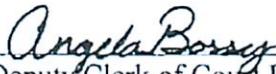
CERTIFICATE OF MAILING

I, Angela Bossy, Deputy Clerk of Court I, hereby certify that I mailed true and correct copies of the above **Order**, to the parties first named therein at the addresses shown by depositing in the U.S. Mail, postage prepaid at Pablo, Montana or by email on this 10th day of August, 2023.

Kalmbach Law Office, PLLC
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(Attorney for Appellee)

Malia Hamel
Clerk of Court



Deputy Clerk of Court I