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ATTORNEYS FOR THE ALIERA COMPANIES INC.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

MARIA MOELLER and RON MOELLER, Plaintiffs vs. THE ALIERA COMPANIES INC.; TRINITY HEALTHSHARE; TIMOTHY MOSES; SHELLEY STEELE, CHASE MOSES and DOES 1-10, Defendants.	CIVIL ACTION NO: 6:20-cv-00022-SEH THE ALIERA COMPANIES INC.’S NOTICE OF APPEAL
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Under 9 U.S.C. § 16(a)(1) and Federal Rules of Appellate Procedure 3 and 4, Defendant The Alieria Companies Inc. (Alieria) gives notice that it appeals to the United States Court of Appeals for the Ninth Circuit from the Findings of Fact, Conclusions of Law, and Order entered on June 30, 2021, (ECF No. 213), denying Alieria’s Motion to Compel Arbitration, (ECF No. 14), together with all interlocutory orders and rulings that produced the Order.¹ This case was first filed on March 23, 2020 and has not been previously appealed.

¹The Court stayed this case after Sharity Ministries, Inc. *f/k/a* Trinity Healthshare, Inc. filed for bankruptcy on July 8, 2021, presumably due to the “automatic stay provisions of 11 U.S.C. § 362.” (ECF No. 219.) Alieria files this Notice of Appeal out of an abundance of caution to ensure that it meets the thirty-day deadline to appeal set out in Federal Rule of Appellate Procedure 4 and to preserve its appellate rights.

The filing fee is paid concurrently with the filing of this Notice.

Dated this 29th day of July 2021.

/s/ Stefan T. Wall _____

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/s/ Elizabeth B. Shirley _____

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CERTIFICATE OF SERVICE L.R. 5.2(b)

I hereby certify that, on July 29, 2021, a copy of the foregoing document was served upon the following persons by the following means:

- 1,2,3,4,5 CM/ECF
- Hand Delivery
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- Fax
- E-Mail

- 1. Clerk, U.S. District Court

- 2. John M. Morrison
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- 3. Nathan A. Schacht
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- 5. Nathan Bilyeu
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ATTORNEYS FOR THE ALIERA COMPANIES INC.

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 6. Representation Statement

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>

Appellant(s) (List each party filing the appeal, do not use "et al." or other abbreviations.)

Name(s) of party/parties:

The Alera Companies Inc.

Name(s) of counsel (if any):

Stefan T. Wall

Address: P.O. Box 1713, Helena, MT 59624

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Is counsel registered for Electronic Filing in the 9th Circuit? Yes No

Appellee(s) (List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)

Name(s) of party/parties:

Maria Moeller and Ron Moeller

Name(s) of counsel (if any):

John M. Morrison and Anne E. Sherwood

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To list additional parties and/or counsel, use next page.

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**
**Form 1. Notice of Appeal from a Judgment or Order of a
United States District Court**

Name of U.S. District Court:

U.S. District Court case number:

Date case was first filed in U.S. District Court:

Date of judgment or order you are appealing:

Fee paid for appeal? *(appeal fees are paid at the U.S. District Court)*

Yes No IFP was granted by U.S. District Court

List all Appellants *(List each party filing the appeal. Do not use "et al." or other abbreviations.)*

Is this a cross-appeal? Yes No

If Yes, what is the first appeal case number?

Was there a previous appeal in this case? Yes No

If Yes, what is the prior appeal case number?

Your mailing address:

City: State: Zip Code:

Prisoner Inmate or A Number (if applicable):

Signature Date

Complete and file with the attached representation statement in the U.S. District Court
Feedback or questions about this form? Email us at forms@ca9.uscourts.gov