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**MONTANA ELEVENTH JUDICIAL DISTRICT COURT,
FLATHEAD COUNTY**

KENDRA ESPINOZA, JERI ELLEN ANDERSON, and JAIME SCHAEFER,)	Cause No.: DV-15-1152A
)	
Plaintiffs,)	MONTANA DEPARTMENT OF
)	REVENUE'S CROSS MOTION FOR
vs.)	SUMMARY JUDGMENT
)	
MONTANA DEPARTMENT OF)	
REVENUE, and MIKE KADAS, in his)	
official capacity as DIRECTOR of the)	
MONTANA DEPARTMENT OF)	
REVENUE,)	
)	
Defendants.)	

Pursuant to Montana Rules of Civil Procedure Rule 56, Uniform District Court Rule 2, and Eleventh Judicial District Court Rule 8, the Montana Department of Revenue respectfully moves this Court for an entry of summary judgment as a matter of law. The Department implemented Senate Bill No. 410 (2015) according to the bill and the Montana and U.S. Constitutions and in a manner that avoids directly or indirectly supporting religious education with public funds. Filed with this motion is a combined brief in opposition to the Plaintiffs'

motion for summary judgment and brief in support of the Department's cross motion for summary judgment, and supporting exhibits.

Dated this 7th day of July, 2016.

MONTANA DEPARTMENT OF REVENUE

A handwritten signature in blue ink, appearing to be "D. Whyte", is written over a horizontal line.

**DANIEL WHYTE
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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of July, 2016, I served true and accurate copies of the foregoing *Montana Department of Revenue's Cross Motion for Summary Judgment* by the method(s) indicated below, addressed as follows:

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