In the Supreme Court of the State of Alaska

Cynthia J. Notti, Appellant, v. **David G. Hoffman,** Appellee.	Supreme Court No. **S-17560** **Opening Notice** Appellate Rule 204 Date of Notice: **9/9/19**

Trial Court Case No. **3AN-18-05567CI**

1. On 8/29/19, Appellant filed an appeal of Judge Morse's final order/judgment distributed on 8/13/19. Attorneys whose names and addresses are correct on this notice need not file an entry of appearance. All documents filed by a party who is not represented by counsel shall include an address at which that party can be served. The caption in this case will be as shown above.

2. In accordance with Appellate Rule 204(g), all parties to the trial court proceedings when the final order/judgment was entered are parties to the appeal. A party who files a notice of appeal, whether separately or jointly, is an Appellant under these rules. All other parties are deemed to be Appellees, regardless of their status in the trial court. An Appellant may elect at any time not to participate in the appeal by filing and serving a notice of non-participation.

3. The notice of completion of preparation of file is due on or before **10/21/19**. The record in this appeal will include only the documents and proceedings in the trial court case referenced above. If either party believes that the record should contain documents or proceedings from any other related case, that party should file an appropriate motion.

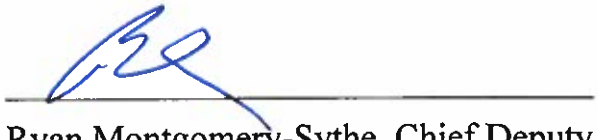
4. This case may be subject to the requirements of Appellate Rule 221.

☑ On or before **10/9/19**, the attorneys for all parties to this appeal must discuss settlement as required by Appellate Rule 221. The first attorney listed below is responsible for arranging the settlement discussion. Counsel for the parties must file an appropriate notice if the parties reach settlement of any issues. If no settlement is reached, counsel for the parties must file

a certificate stating that the attorneys have discussed settlement with knowledge of their clients. This certificate is due on or before **10/21/19**. A form notice/certificate is enclosed with this opening notice. This form is also available on the appellate court web site (www.appellate.courts.state.ak.us).

☐ This case is exempt from the settlement discussion requirement under Appellate Rule 221. Appellant must file the form notice/certificate enclosed by 10/17/19, however, Part 3 need not be completed.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe, Chief Deputy Clerk

cc: Judge Morse

Trial Court Clerk

Distribution:

Hickey, Daniel

Matthews, Meredith

In the Supreme Court of the State of Alaska

Cynthia J. Notti,
Appellant,

v.

David G. Hoffman,
Appellee.

Trial Court Case No. **3AN-18-05567CI**

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Notice/Certificate
Appellate Rule 221

NOTICE/CERTIFICATE REQUIRED BY APPELLATE RULE 221

Part 1. <u>Trial Court</u> Settlement History.

1. Did the parties attempt settlement at the trial court level?
   - ☐ yes (answer questions 2-5)
   - ☐ no (skip to Part 2)

2. What form(s) did the settlement discussions take? (Check all that apply)
   - ☐ informal discussions
   - ☐ negotiations led by private neutral (e.g., mediator)
     name of private neutral: _____
   - ☐ settlement conference with judge
     name of judge: _____
   - ☐ other
     describe: _____

3. Who was involved in the settlement discussions? (Check all that apply)
   - ☐ counsel for all parties
   - ☐ all clients
   - ☐ other
     describe: _____

4. How long did the settlement discussions take?

   _____

   _____

5. What was the outcome of the settlement discussions at the trial court level?

- ☐ parties reached agreement on one or more issues or claims
- ☐ case settled as to some parties, but not all parties
- ☐ issues were narrowed
- ☐ no issues or claims were narrowed or resolved

Part 2. Pro Se Party Involvement.

☐ Indicate here if no appellate settlement discussion took place because one or more parties are unrepresented by counsel and therefore the provisions of Appellate Rule 221 do not apply. If the box in this section **is** checked, the appellant should sign below:

_____ _____

Signature **Date**

If the box in this section is **not** checked, the attorneys must complete Part 3.

Part 3. Certificate of Appellate Settlement Discussion.

By signing below, each attorney certifies that the attorneys have discussed settlement after the filing of the appeal as required by Appellate Rule 221, and that the attorney's client(s) had knowledge of the settlement discussion.

_____ _____

Date Signature

_____ _____

Date Signature

_____ _____

Date Signature

_____ _____

Date Signature

FILE THIS ORIGINAL PLUS ONE COPY WITH THE COURT.