

IN THE SUPREME COURT

STATE OF NORTH DAKOTA

Orwig's Livestock Supplements, Inc.;)	
Orwigs Tubs International Inc.; and)	SUPREME COURT NOS. 20220248
MVP Transport, Inc.,)	
)	
Plaintiffs.)	CIVIL NO. 11-2016-CV-00068
)	(Dickey County District Court)
vs.)	
)	
Mary C. "Marcy" Orwig,)	
)	NOTICE OF APPEAL
Defendant and)	
Third Party Plaintiff,)	
)	
vs.)	
)	
Steven Orwig,)	
)	
Third Party Defendant.)	
_____)	_____
)	
Steven Mark Orwig,)	SUPREME COURT NOS. 20220247
)	
Plaintiff,)	CIVIL NO. 11-2016-DM-00026
)	(Dickey County District Court)
vs.)	
)	
Mary Caroline Orwig,)	
)	
Defendant.)	

TO: THE ABOVE-NAMED DEFENDANT AND THIRD-PARTY PLAINTIFF, MARY ORWIG, BY AND THROUGH HER ATTORNEY OF RECORD, JONATHAN GARAAS.

Notice

[¶1] **PLEASE TAKE NOTICE** that, pursuant to Rule 4(a)(2) of the North Dakota Rules of Appellate Procedure, Appellee/Cross-Appellant Steven Mark Orwig appeals to the North Dakota

Supreme Court from the Dickey County District Court's Order dated September 8, 2022.

Preliminary Statement of the Issues

[¶2] The preliminary statement of issues consists of the following probable issues:

- A. Did the District Court err in dismissing Steve's Motion to Reconsider Redistribution of the 2009 Dodge Challenger.
- B. Did the District Court err in finding that it was Steven's burden to prove that Mary still had possession of the 2009 Dodge Challenger and/or willfully transferred ownership or kept proceeds to defeat Steve's post-judgment interest, when she admittedly had possession pre-trial and did not give any notice of the disposal of the same pursuant to the requirements of a North Dakota Summons.
- C. Did the District Court err in not finding that Marcy is either in possession of the 2009 Dodge Challenger or the proceeds from selling the vehicle.
- D. Did the District Court err in not subtracting the \$35,000 value of the 2009 Dodge Challenger from the amount Steve is to pay Mary Orwig pursuant to the February 26, 2020, Judgment.

Dated this 16th day of September, 2022.

/S/ Greg Liebl

Greg Liebl (ND #06132)
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ATTORNEYS FOR STEVEN ORWIG

IN THE SUPREME COURT

STATE OF NORTH DAKOTA

Orwig's Livestock Supplements, Inc.;)
Orwigs Tubs International Inc.; and) SUPREME COURT NOS. 20220248
MVP Transport, Inc.,)
)
Plaintiffs.) CIVIL NO. 11-2016-CV-00068
) (Dickey County District Court)
vs.)

Mary C. "Marcy" Orwig,)
)
Defendant and) **DECLARATION OF SERVICE**
Third Party Plaintiff,)

vs.)
)
Steven Orwig,)
)
Third Party Defendant.)

Steven Mark Orwig,) SUPREME COURT NOS. 20220247
)
Plaintiff,) CIVIL NO. 11-2016-DM-00026
) (Dickey County District Court)
vs.)

Mary Caroline Orwig,)
)
Defendant.)

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

[¶1] I, Sierra Johnson, being sworn says that she is of legal age, a resident of Fargo, Cass County, North Dakota, not a party to nor interested in the action, and that she served the attached:

1. Notice of Appeal;
2. Steven Orwig's Motion for Leave of Court to Request a Late Order of Trial Transcript

upon the following person(s):

Jonathan Garaas
Mike Andrews
Lee Grossman

garaaslawfirm@ideaone.net
mandrews@andersonbottrell.com
lee.grossman@swlattorneys.com

via electronic means on the 16th day of September, 2022, by electronically serving, through ND Supreme Court E-filing System, the same to the person above named at the above-referenced email address. That she knows the person served to be the person named in the papers served and the person intended to be served.

[¶2] I declare under penalty of perjury that the foregoing is true and correct. Executed on the 16th day of September, 2022.

/s/ Sierra Johnson

Sierra Johnson, Affiant
Fargo, ND