

Cory R. Laird  
Lindsay A. Mullineaux  
Riley M. Wavra  
LAIRD COWLEY, PLLC  
2315 McDonald Avenue, Suite 220  
Missoula, MT 59801  
P.O. Box 4066  
Missoula, MT 59806-4066  
Telephone: (406) 541-7400  
Facsimile: (406) 541-7414  
Email: claird@lairdcowley.com  
lmullineaux@lairdcowley.com  
rwavra@lairdcowley.com

Mark M. Kovacich  
Ben A. Snipes  
Caelan G. Brady  
KOVACICH SNIPES JOHNSON PC  
21 3rd Street North, Suite 301  
Great Falls, MT 59401  
Telephone: (406) 550-5000  
Email: mark@justicemt.com  
ben@justicemt.com  
caelan@justicemt.com

Attorneys for Plaintiffs and Putative Class

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

JEFF BECK, individually; AMY  
WEINBERG, individually; ZAC  
WEINBERG, individually; ALTA  
VIEWS, LLC; RIVERVIEW COMPANY,  
LLC; and on behalf of a class of similarly  
situated persons and entities,

Plaintiffs,

vs.

CV 22-44-M-KLD

**PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION**

CITY OF WHITEFISH, a Montana  
governmental entity, and DOES 1-10,  
Defendants.

---

Plaintiffs Jeff Beck, Amy Weinberg, Zac Weinberg, Alta Views, LLC, and Riverview Company, LLC (“Plaintiffs”), respectfully move this Court for an order certifying this action as a class action pursuant to Fed. R. Civ. P. 23. Specifically, Plaintiffs move this Court for an order: (1) certifying the above-captioned matter as a class action; (2) defining the class; (3) defining the class claims and issues; and (4) appointing counsel of record for Plaintiffs as class counsel. *See* Fed. R. Civ. P. 23(c)(1)(B), (g)(1).

Plaintiffs ask the Court to define the class as follows:

Any and all persons or entities who paid impact fees for water and wastewater services to Defendant City of Whitefish (“the City”) from January 1, 2019 to the present.

Plaintiffs ask the Court to define the claims and issues as follows:

Any and all claims advanced in Plaintiffs’ Complaint involving the City’s allegedly unlawful assessment of impact fees for water and wastewater services from January 1, 2019 to the present.

Counsel for the City has been contacted and indicated they oppose this Motion. A supporting brief is filed contemporaneously herewith.

\\

\\

DATED this 30th day of November, 2022.

LAIRD COWLEY, PLLC

By: /s/ Cory R. Laird  
Attorneys for Plaintiffs and  
Putative Class

KOVACICH SNIPES JOHNSON PC

By: /s/ Mark M. Kovacich  
Attorneys for Plaintiffs and  
Putative Class