

BROWN LAW FIRM, PC

315 N. 24th Street | PO Drawer 849 | Billings, Montana 59103-0849
Phone: 406.248.2611 | Fax: 406.248.3128

Michael P. Heringer
Guy W. Rogers
Scott G. Gratton
Kelly J.C. Gallinger*
Jon A. Wilson
Seth A. Cunningham
Shane A. MacIntyre
Brett C. Jensen*
Nathan A. Burke
Alex J. Ames
Zachary A. Hixson
John R. Knisely
Emily J. Dardis * ‡
Matthew S. Cranston
Erik M. Anderson
Elitza Z. Miltcheva

Of Counsel

Robert L. Sterup

Retired

Rockwood Brown
John Walker Ross
Margy Bonner
John J. Russell

Jon A. Wilson
jwilson@brownfirm.com

August 28, 2025

VIA EMAIL (nominatejudges@mt.gov)

Hannah Slusser
Governor's Office
P.O. Box 200801
Helena, MT 59620

Re: Thirteenth Judicial District Judgeship Vacancy

Dear Ms. Slusser:

I am writing in support of Seth Cunningham's application to fill one of the two vacancies in the Thirteenth Judicial District. I have had the pleasure to work with Seth since he joined Brown Law Firm, P.C., in September 2009, and have been a shareholder with him for ten years. Seth is an excellent attorney and, more importantly, a better person. He is a hard worker, and always conducts himself with a high degree of integrity. While I would be sad to see him leave the firm, I have no doubt that he would be a fine Judge who would serve Yellowstone County well. Thank you for your time and your consideration.

Sincerely,



Jon A. Wilson
JAW

*Also licensed in
North Dakota

‡ Also licensed in
Wyoming

From: [Blake Fuhriman](#)
To: [NominateJudges](#)
Subject: [EXTERNAL] Recommendation for Seth Cunningham – Thirteenth Judicial District Judgeship
Date: Friday, August 29, 2025 10:39:14 AM

Blake Fuhriman
Billings, Montana

August 29th, 2025

Attn: Hannah Slusser
Governor's Office
PO Box 200801
Helena, MT 59620

Re: Recommendation for Seth Cunningham – Thirteenth Judicial District Judgeship

Dear Governor Gianforte,

I am writing as a private citizen of Yellowstone County to express my strong support for Seth Cunningham's appointment to serve as a judge in the Thirteenth Judicial District.

Seth is a man of integrity whose life reflects service—first to his country in uniform, and now to his community as an attorney. Beyond his professional success, Seth is known for offering his skills to those who cannot afford representation, ensuring access to justice for people who might otherwise go unheard. This commitment speaks not only to his generosity, but also to his deep belief in fairness and equal treatment under the law.

The qualities that make a good judge extend beyond legal knowledge. A judge must be impartial, thoughtful, and able to weigh complex matters with wisdom and humility. Seth has consistently demonstrated these qualities in his professional and personal life. He listens carefully, treats others with respect, and approaches difficult situations with both patience and sound judgment. These attributes, combined with his strong moral compass and commitment to justice, would serve him well on the bench.

I have no doubt that Seth Cunningham would bring balance, fairness, and integrity to every case before him. He has a heart for service, a steady temperament, and a respect for the rule of law that makes him exceptionally well-suited for this judgeship.

For these reasons, I respectfully recommend Seth Cunningham for appointment to the Thirteenth Judicial District.

Sincerely,

Blake Fuhriman

From: [Bryan Kautz](#)
To: [NominateJudges](#)
Subject: [EXTERNAL] Seth Cunningham
Date: Friday, August 29, 2025 9:11:13 AM
Attachments: [image001.png](#)

To Whom It May Concern:

My name is Bryan Kautz and I am an attorney in Billings, Montana. Over the past decade or so, I have had the privilege of getting to work on the same side of cases with Seth, as well as on the opposite side of cases with Seth. I could think of no better candidate to fill the vacancies that Governor Gianforte is needing to fill in Yellowstone County. Over the course of my encounters with Seth, I have found him to be an excellent attorney that not only is a strong advocate for his client, he is also reasonable and pragmatic. I believe that Seth's disposition and knowledge of the law would make him an excellent candidate to be a Montana State District Court Judge.

If you should need anything further from me, I would be happy to provide it on behalf of Seth.

Sincerely,

Bryan M. Kautz

Ritchie Manning Kautz PLLP
175 North 27th Street, Suite 1206
Billings, Montana 59101
(406) 545-0543
bkautz@rmkfirm.com



Notice: This electronic mail transmission may constitute a privileged attorney-client and confidential communication. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling Ritchie Manning Kautz PLLP at 406.601.1400.

From: [Matt Tourtlotte](#)
To: [NominateJudges](#)
Subject: [EXTERNAL] Regarding The Application of Seth Cunningham, District Court Judge, MT 13th Judicial Dist. Court
Date: Wednesday, September 3, 2025 1:01:21 PM

Dear Judicial Nominations Committee Members:

You have before you the application of Mr. Seth Cunningham, managing partner at Brown Law Firm in Billings, Montana. I have known Seth Cunningham both professionally and personally for several years, having worked with him on numerous litigation matters while we were at Brown Law Firm and as opposing counsel from 2014 to the present. Seth is a highly skilled litigator and a person of integrity—qualities vital for the bench.

Moreover, his management of the litigation and business affairs of one of Montana's oldest and most reputable defense litigation firms cannot be understated. Throughout his career, Seth Cunningham has earned the trust of his clients and the respect of his peers. His body of work at Brown Law Firm will provide him with the knowledge and insights that are necessary for a judge to make prompt, fair, and correct decisions in contested civil litigation cases.

On a personal level, I have known Seth for more than fifteen years. We have children who have attended the same schools. Our spouses have served together on various committees, boards, and programs within the Billings community. Through these interactions, I have had the opportunity to see first hand that Seth is an excellent role model in his personal and professional interactions. In my opinion these qualities will serve as assets to the Yellowstone County District Court, because they demonstrate a strong sense of understanding and applying lifestyle qualities that foster healthy living, both inside and outside of work.

Finally, Seth Cunningham demonstrates a keen sense of stewardship to our community. He has volunteered numerous hours of service to local and regional causes. Importantly, as demonstrated by his application, Seth has faithfully served his Country. His more than seventeen years of experience as an Officer in the Air Force Reserve, certainly clothe him with unique professional experiences and organizational skills that will translate well into a career on the bench.

Thank you for considering Seth Cunningham's application for District Court Judge. In my opinion, he has amassed substantial professional and personal experiences that make him a strong candidate for the Judicial openings within the 13th Judicial District Court. I am happy to write this letter of support for the Committee's consideration.

Sincerely,

Matt Tourtlotte



Matt Tourtlotte

MILLER TOURTLOTTE LAW, PLLC

1643 North 24th Street West, Ste. 308

Billings, Montana 59102

(406) 294-3400

matt@mtlawgroup.com

mtlawgroup.com [mtlawgroup.com]

From: [Lilla Lund](#)
To: [NominateJudges](#)
Subject: [EXTERNAL] Seth Cunningham
Date: Wednesday, September 3, 2025 10:49:45 AM
Attachments: [image001.png](#)
[image002.png](#)

To Whom It May Concern:

I write in strong support of Seth Cunningham for the position of Yellowstone County District Court Judge. I have known Seth professionally for a number of years as our practice areas are similar. I have attended numerous depositions, site visits, hearings, etc. with Seth over the years and have always known him to be professional and prepared. He is a fantastic advocate for his clients and it is clear that he cares deeply about his work.

Seth possesses a quiet, intelligent, and thoughtful demeanor in his approach to his cases. I believe that these qualities all lend themselves to serving as a judge. Further, Seth has a diverse legal background and is comfortable in a variety of practice areas. I believe his background will be of great assistance to him in serving as a judge.

Thank you very much for your consideration.

Elizabeth ("Lilla") W. Lund
Shareholder

P.O. Box 3209
Bozeman, MT 59772
Direct Dial: (406) 532-4490
Phone: (406) 543-6646
Fax: (406) 549-6804

September 2, 2025

To Whom It May Concern:

I am writing this letter to express my wholehearted support for the application submitted by Seth Cunningham for one of the two judicial positions in the Thirteenth Judicial District, Yellowstone County, Montana.

It has been my personal experience as a former public defender that Yellowstone County District Court is in dire need of more judges to handle an ever-increasing number of cases. This district -- and the people who live and work here -- deserve a judge who is not only knowledgeable about the law but has the disposition and skills to navigate difficult situations with calmness under pressure and fairness to all concerned. In the relatively short amount of time I have had the privilege to work with Seth Cunningham, I have seen his great understanding of the law and his ability to remain calm in difficult situations while showing compassion for the people around him.

It is my personal belief that the years Seth Cunningham served in the armed forces of our great nation show the true character of a man who can put aside his personal convictions in the name of something greater: our country and its people. He comes to this judicial position with first-hand knowledge of sacrifice and hard work that few of us can claim.

To say that our society has experienced a decline in civility is an understatement; the legal profession has not escaped this trend either, and it is not difficult to find examples of poor civility in the legal profession. However, Seth Cunningham has steadfastly remained professional, civil, and deeply invested in the ethical practice of the legal profession. He brings to this judicial position a strong sense of service and commitment to the highest principles on which this country was founded and on which the legal profession relies for its integrity and independence.

As a first-generation immigrant to the United States, I have learned first-hand how difficult it can be to meet people who are willing to listen, understand, and accept someone "different" as a human being and as a member of the same legal profession they practice. I had the good fortune to meet Seth Cunningham and the rest of the Brown Law Firm at a very difficult time in my professional life. For me, Seth and his colleagues are the "gold standard" for professional courtesy, skill, and compassion that I have seen in my 30+ years of living in the United States. Seth himself personally demonstrated how an experienced

attorney can approach different and difficult situations in life with logic and reason while remaining calm and compassionate.

In short, I believe Seth Cunningham has demonstrated repeatedly that he will support, protect, and defend the constitution of the United States of America and of the state of Montana. I have no doubt that he can and will put his personal convictions aside to serve the greater good of our community with dignity, courage, and compassion. Seth has the knowledge, skills, and integrity to discharge the duties of this judicial office with fidelity, fairness, and impartiality to all concerned. We, the people who live and work here, will be very lucky to have him as a judge in the Thirteenth Judicial District.

Sincerely,



Elitza Z. Miltcheva

From the Desk of
Jacob L. Eaton

The Honorable Greg Gianforte
Office of the Governor
P.O. Box 200801
Helena, MT 59620-0801

Re: Support for Judicial Appointment of Seth M. Cunningham

Dear Governor Gianforte:

I write in strong support of Seth M. Cunningham's application for appointment as Judge in the 13th Judicial District. I am convinced he would serve the people of Montana with distinction, fairness, and fidelity to rule of the law.

Mr. Cunningham stands out among judicial applicants for two reasons that are particularly important: his professional experience and his military service. Too often, judicial applicants come primarily from government service; prosecutors, public defenders, and agency counsel. While that experience is valuable, it does not always expose a lawyer to the wide range of disputes, clients, and business realities that private practice demands. Mr. Cunningham has built a long and successful career in private practice at the Brown Law Firm. His practice spans complex civil litigation, insurance defense, employment law, contractual disputes, probate, and pro bono service in family law and criminal matters. This breadth gives him a balanced and pragmatic perspective, something our judiciary greatly benefits from but often lacks when nominees come solely from government positions.

Equally significant is his service to our nation as a veteran. A graduate of the U.S. Air Force Academy, Mr. Cunningham served in active duty and the reserves, ultimately retiring as a Lieutenant Colonel. His leadership experience, including commanding men and women in high-responsibility roles, reflects discipline, fairness, and a profound sense of service before self, qualities that translate directly into judicial temperament.

Just as important, Mr. Cunningham has articulated a judicial philosophy we should welcome on Montana's bench. He has been clear that judges must uphold the rule of law and resist the temptation to legislate from the bench. He believes that statutes and the Constitution should be applied according to their plain meaning and original intent, using reason and common sense—not reshaped to fit policy goals. This philosophy ensures predictability, preserves the separation of powers, and provides every litigant confidence that laws will be applied fairly, not subject to the personal views of a judge. In a time when judicial activism threatens to erode public trust in the courts, Mr. Cunningham's philosophy is refreshing and essential.

Finally, his integrity and commitment to community service are unquestionable. From his pro bono contributions to Montanans in need, to his volunteer service as a CASA advocate for

children, to his leadership in veterans' organizations, Mr. Cunningham has consistently demonstrated humility, compassion, and dedication to serving others.

For these reasons, I strongly and without reservation recommend Seth M. Cunningham for appointment to the District Court.

Thank you for considering this outstanding applicant.

Respectfully,

A handwritten signature in black ink that reads "Jacob Eaton". The signature is written in a cursive style with a large, stylized "J" and "E".

Jake Eaton

**Judge Gregory G. Pinski (Ret.)
P.O. Box 3028
Great Falls, MT 59403-3028**

September 4, 2025

By Email: nominatejudges@mt.gov

The Honorable Greg Gianforte
Attn: Hannah Slusser
Office of the Governor
P.O. Box 200801
Helena, MT 59620

Re: Judicial nomination of Seth Cunningham

Dear Governor Gianforte:

I am pleased to recommend the nomination of Seth Cunningham for the judicial vacancy in the Montana Thirteenth Judicial District Court.

As a retired district court judge, I am keenly aware of the need for highly qualified, hard working judges. Seth meets these qualities in spades. The district court in Yellowstone County is the busiest in the state. Civil dockets are backed up for years, with small businesses, farmers and ranchers, and individual Montanans experiencing long delays in having their disputes heard.

Seth is an experienced civil litigator with the Brown Law Firm, one of Montana's oldest, most established and highly regarded litigation firms. Seth will hit the ground running; he has the experience and work ethic necessary to cut through the delays plaguing the court system and will be able to resolve pending cases quickly, efficiently, and fairly.

I have served as a settlement master on several cases Seth litigated. The professionalism he exhibits on behalf of his clients is second to none. He is always well prepared, articulate in his presentation, and the work product he submits is exceptional. For an attorney of Seth's caliber to leave a successful, busy private practice for public service is a testament to his character and his dedication to the court system.

I am proud to recommend Seth for this judicial vacancy, and I hope you will give him your highest consideration for this appointment.

My best regards,



Gregory G. Pinski
District Court Judge (Ret.)

From: [David F. Knobel](#)
To: [NominateJudges](#)
Subject: [EXTERNAL] Support for Seth Cunningham
Date: Saturday, September 6, 2025 11:06:40 AM
Attachments: [image001.png](#)

Dear Governor Gianforte,

I am writing to provide my recommendation for Seth Cunningham for appointment to one of the judgeship vacancies in the Thirteenth Judicial District. I have had the privilege of serving as opposing counsel against Seth in several matters, and I believe my perspective offers unique insight into the qualities that make Seth exceptionally well suited to serve as a judge.

Throughout our cases, Seth consistently demonstrated the highest level of professionalism, preparation, and respect for the law. Even while advocating strongly for clients, he always conducted litigation with civility, integrity, and fairness. I also found Seth's legal analysis to be thorough and reasonable.

Importantly, he never allowed advocacy to overshadow candor or courtesy—qualities I consider essential for a member of the judiciary. He advanced strong legal positions without resorting to unnecessary hostility or gamesmanship. This approach not only facilitated more efficient case resolution but also reflected an underlying commitment to justice and respect for all parties involved.

In my opinion, Seth possesses the character, temperament, and intellect that will make him a fair, impartial, and respected judge. Please feel free to contact me if you would like to discuss my recommendation further.

Sincerely,

David

DAVID F. KNOBEL [\[crowleyfleck.com\]](#)

490 North 31st Street, Suite 500

Billings, MT 59101

Main: 406.252.3441

Direct: 406.255.7343

Licensed in: Montana, Kansas, and Florida

CROWLEY FLECK PLLP
ATTORNEYS [\[crowleyfleck.com\]](#)

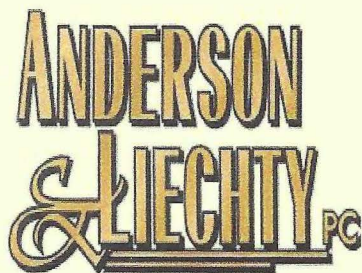
WITH OFFICES IN MONTANA, NORTH DAKOTA, AND WYOMING:

[BILLINGS \[CROWLEYFLECK.COM\]](#) [BISMARCK \[CROWLEYFLECK.COM\]](#) [BOZEMAN \[CROWLEYFLECK.COM\]](#) [BUTTE \[CROWLEYFLECK.COM\]](#) [CASPER \[CROWLEYFLECK.COM\]](#) [CHEYENNE \[CROWLEYFLECK.COM\]](#) [HELENA \[CROWLEYFLECK.COM\]](#) [KALISPELL \[CROWLEYFLECK.COM\]](#) [MISSOULA \[CROWLEYFLECK.COM\]](#) [SHERIDAN \[CROWLEYFLECK.COM\]](#) [WILLISTON \[CROWLEYFLECK.COM\]](#)

NOTICE: This electronic mail transmission may constitute an Attorney-Client communication

that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling Crowley Fleck PLLP, 406-252-3441, so that our address record can be corrected.

This email has been scanned for email related threats and delivered safely by Mimecast. For more information please visit <http://www.mimecast.com> [[mimecast.com](http://www.mimecast.com)]



404 North 31st Street
Transwestern One, Suite 130
Billings, MT 59101

Telephone: (406) 254-8904
Email: manderson@a-llaw.com

MICHAEL B. ANDERSON

Mailing Address:
P.O. BOX 3253
BILLINGS, MONTANA 59103-3253

September 5, 2025

Ms. Hannah Slusser
Governor's Office
P.O. Box 200801
Helena, Montana 59620

Re: Montana 13th Judicial District Court Applicants

Dear Ms. Slusser:

I write in support of Ed Zink and Seth Cunningham's applications for appointment as district court judges for the 13th Judicial District's new judgeships.

I've known both candidates for over 30 years, both personally and professionally.

Ed is a seasoned and level-headed prosecutor, which equips him exceedingly well for at least half of the expected caseload he'll encounter.

I've known Seth since he and my son were teenagers. Even then, I liked him. He's been a respected member of one of Billings' premier law firms.

As an aside, but a measure of their quality and commitment to service, - Ed's son is presently a cadet at the U.S. Naval Academy; Seth's a graduate of the Air Force Academy. The citizens of Yellowstone County would be well-served by their appointment.

Sincerely

MICHAEL B. ANDERSON

Andrew T. Billstein

2711 Treasure Drive
Billings, MT 59102

September 5, 2025

Governor's Office
Attn: Hannah Sulser
PO Box 200801
Helena, MT 59620

Via Email
nominatejudges@mt.gov

RE: Montana Thirteenth Judicial District Vacancies
Seth Cunningham Public Comment

Dear Governor Gianforte:

I am writing in support of Seth Cunningham's application for appointment to serve as a district court judge in the Montana Thirteenth Judicial District. I am an attorney who practices primarily in Yellowstone County so this matter is of significant importance to me.

I have known Seth for several decades, both of us graduating from Billings West High School in 1996. Because of Seth's service in the United States Air Force, I completed law school at the University of Montana School of Law several years prior to Seth and believe that I am modestly responsible for his decision to attend law school and his recent willingness to switch from the bar to the bench.

Having practiced law since 2003, I have a personal sense of what makes a good judge. Recently, I served on the Senate Select Committee on Judicial Oversight and Reform which also gives me some insight regarding the qualities that Montanans respect in a judge. While there are certainly idealogues who use various venue shopping techniques to secure a judge with a particular background or certain perceived biases, most people are simply looking for a judge to call balls and strikes consistent with the rules of the game using a temperate and professional demeanor. I am confident that Seth will bring this approach to his time on the bench.

I also appreciate a when the Montana bench is representative of the wide areas of practice in which lawyers tend to specialize. At present, the Thirteenth Judicial District is heavily represented with judges who practiced primarily in the areas of criminal law and as plaintiffs'

lawyers. While our judges learn quickly, as I primarily represent small business owners and farmers and ranchers, I would appreciate the appointment of a lawyer such as Seth whose primary background is civil defense along with some estate planning and family law.

Lastly, while neither Seth nor I are getting any younger, I think that it is appropriate to appoint a judge who will likely have the opportunity to serve several terms. Seth has the necessary experience to serve as a judge but also has the ability to serve on the bench for many years.

Thank you in advance for your careful consideration in the difficult and important work of filling judicial vacancies with the best candidates. I cannot recommend Seth strongly enough for this position and I urge you to appoint Seth as one of our new judges.

Sincerely,

A handwritten signature in blue ink, appearing to read "ATB", followed by a long horizontal line extending to the right. The signature is written on a light blue grid background.

Andrew T. Billstein

LOREN & JANICE SOFT

161 Norris Ct.
Billings, Montana, 59105
406-698-3039
Lsoft86@gmail.com



September 4, 2025

Attn: Hannah Slusser
Governor's Office
PO Box 200801
Helena, MT 59620

Dear Hannah,

I have been asked to submit a letter of support on behalf of Seth Cunningham who is seeking a position in the judicial system of Montana. I am happy to do so.

I have known Seth and his parents for all of Seth's life and his parents for about 65 years. His parents and my wife and I attended college together at then "EMC" and attended the same church.

Seth was an excellent student and while I was serving in the Montana State Legislature House of Representatives, 1995-99, I was please to recommend Seth as a candidate for the Air Force Academy, to which he was admitted and completed his training there.

Seth, I believe, would provide honest, unbiased decisions in the role of a judge. He has a strong work ethic and is a lifelong Montana.

Thank you for this opportunity to recommend Seth Cunnigham.

Sincerely,

A handwritten signature in blue ink that reads "Loren Soft".
Loren Soft

September 4, 2025

Priscilla Cunningham
4349 Jackrabbit Drive
Billings, MT 59106

Gov. Greg Gianforte
Attn: Hannah Slusser
Governor's Office
PO Box 200801
Helena, MT 59620

Dear Gov. Gianforte:

As I write this letter of recommendation for my son Seth Cunningham, applicant for a judgeship, I am setting aside my mother's heart and focusing on one aspect of his character,


Early in Seth's life, the quality of integrity was evident. Seth's actions and decisions reflected honesty and a fairness toward his peers even in grade school. Throughout high school, his years at the Air Force Academy and during his Air Force career, Seth's actions and decisions continued to be guided by his sound moral principles.

I will give one example of his consistent integrity as an attorney for Brown Law Firm these past sixteen years. Many times, friends and acquaintances of ours have told my husband and me of ways that Seth has helped them in difficult situations through his understanding of and application of law. Always, they were surprised that Seth hadn't related these incidents to us.

Our response has been: he doesn't betray client confidentiality. He is a person of integrity.

Because Seth is this kind of man, I know that he would serve the public and his co-workers well as a judge.

Sincerely,

A handwritten signature in cursive script that reads "Priscilla Cunningham". The ink is dark and the signature is fluid, with a large, sweeping "C" at the end.

Priscilla Cunningham