CIVIL

Pre-Trial Decision

38. **Failure to State a Claim**

A district court's conclusion that it lacks jurisdiction due to a forum selection clause is a conclusion of law that the Montana Supreme Court reviews for correctness. **Milanovich v. Schnibben**, 2007 MT 128, ¶¶ 7–8, 337 Mont. 334, 160 P.3d 562.