

1 Matthew G. Monforton (MT Bar No. 5245)
MONFORTON LAW OFFICES, PLLC
2 32 Kelly Court
3 Bozeman, Montana 59718
4 Telephone: (406) 570-2949
Facsimile: (406) 551-6919
matthewmonforton@yahoo.com
5

6 **MONTANA FIRST JUDICIAL DISTRICT COURT**
7 **LEWIS AND CLARK COUNTY**
8

9 ROBERT WILLEMS, PHYLLIS)	
10 WILLEMS, TOM BENNETT, BILL)	Case No.: ADV-2013-609
11 JONES, PHILIP WILSMAN, LINDA)	
12 WILSMAN, JASON CARLSON, MICK)	[Prior Case No.: DV13-07 (14 th Jud. Dist)]
13 JIMMERSON, DWAYNE CROOK,)	
14 MARY JO CROOK, JAMES STUNTZ,)	PLAINTIFFS' MOTION FOR
15 RANDY BOLING, ROD BOLING, BOB)	SUMMARY JUDGMENT
16 KELLER, GLORIA KELLER, ROALD)	
17 TORGESON, RUTH TORGESON, ED)	
18 TIMPANO, JEANNIE RICKERT, TED)	Filed concurrently with:
19 HOGELAND, KEITH KLUCK, PAM)	
20 BUTCHER, TREVIS BUTCHER,)	1) Plaintiffs' Brief in Support of Motion
21 BOBBIE LEE COX, WILLIAM COX,)	
22 AND DAVID ROBERTSON,)	2) Compendium of Evidence in Support of
23)	Motion
24 Plaintiffs,)	
25)	
26 vs.)	
27)	
28 STATE OF MONTANA, LINDA)	
McCULLOCH, in her capacity as Secretary)	
of State for the State of Montana,)	
)	
Defendants.)	
)	

24 Pursuant to Rule 56, M.R.Civ.P., Plaintiffs move this Court for summary judgment in their
25 favor. There are no genuine issues of material fact and, as a matter of law, Plaintiffs are entitled to
26 judgment in their favor on their claims against Defendants. This motion is supported by:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (1) the pleadings in the Court’s file;
- (2) a Brief in Support of Plaintiff’s Motion for Summary Judgment;
- (3) a Compendium of Evidence in Support of Plaintiffs’ Motion for Summary Judgment containing the following documents:
 - Deposition Exhibits 1 – 33;
 - Deposition Transcripts of James “Jim” Regnier, Jonathan “Jon” Bennion, and Joseph “Joe” Lamson;
 - Stipulated Facts;
 - Affidavits of Plaintiffs

These documents are filed contemporaneously with this Motion.

DATED: August 1, 2013 Respectfully submitted,

Matthew G. Monforton,
Attorney for Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 1st day of August, 2013, that I mailed a true and correct copy of the foregoing document, via U.S. Mail, postage prepaid, to the following address(es):

Lawrence VanDyke
J. Stuart Segrest
215 N. Sanders
P.O. Box 201401
Helena, MT 59620-1401

By:

Matthew G. Monforton
Monforton Law Offices, PLLC
32 Kelly Court
Bozeman, Montana 59718
Telephone: (406) 570-2949
E-mail: matthewmonforton@yahoo.com

Attorney for Plaintiffs