

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

FILED

FEB 14 2018

Clerk, U.S. District Court
District Of Montana
Helena

IN RE BUTTE SCHOOL DISTRICT
NO. 1

No. CV 14-60-BU-SEH

This document relates to all actions

Pending before the Court are Defendants' Renewed Motions to Take Judicial Notice of Court Orders and Opinion in *In Re C.S.*¹ These motions are opposed.

Taking of judicial notice is governed by Fed. R. Evid. 201:

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

- (1) is generally known within the trial court's territorial jurisdiction; or
- (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

The Court "may take judicial notice on its own."² Judicial notice must be taken "if

¹ Doc. 142 in 2:14-cv-00060-SEH; Doc. 140 in 2:14-cv-00061-SEH.

² Fed. R. Evid. 201(c)(1).

a party requests it and the court is supplied with the necessary information.”³


ORDERED:

Judicial notice is taken of the existence and filing of record of:

1. Montana Supreme Court’s Opinion in *In Re C.S.*, 329 P.3d 981;⁴
2. Order Relieving Mary Jo Mahoney as Surrogate, Appointing Stuart McCarval [sic] as Parent and Awarding Attorney Fees and Costs, *In the Matter of C.S.*, DN-13-4 (Mont. 2d Jud. Dist., Dec. 15, 2014);⁵ and
3. Order Amending Order Dated December 15, 2014, *In the Matter of C.S.*, DN-13-4 (Mont. 2d Jud. Dist., Feb. 4, 2015).⁶

No notice is taken of any facts stated in the opinions or orders that are not adjudicative facts.

DATED this 14th day of February, 2018.


SAM E. HADDON
United States District Judge

³ Fed. R. Evid. 201(c)(2).

⁴ Doc. 121-1 in 2:14-cv-00060-SEH; Doc. 119-1 in 2:14-cv-00061-SEH.

⁵ Doc. 121-2 in 2:14-cv-00060-SEH; Doc. 119-2 in 2:14-cv-00061-SEH.

⁶ Doc. 121-3 in 2:14-cv-00060-SEH; Doc. 119-3 in 2:14-cv-00061-SEH.