

**FILED**

JAN 12 2018

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA

HELENA DIVISION

MONTANA CITY MEATS, INC., and  
GARRY M. WHEELOCK,

Plaintiff,

vs.

GARY HAMEL, Individually and as  
Bureau Chief of the Meat Inspection  
Bureau of the Montana Department of  
Livestock, MICHAEL HONEYCUTT,  
Individually and as the Executive  
Officer of the Montana Department of  
Livestock, MONTANA  
DEPARTMENT OF LIVESTOCK, a  
state agency of Montana,

Defendants.

No. CV 16-02-H-SEH

**ORDER**

Pending before the Court are issues raised by the Court directed to: (1) whether Natalya Abdrasilova, CPA (“Abdrasilova”), may be called to testify at the initial federal law claim trial; and to (2) whether Michael Honeycutt (“Honeycutt”)

may be called to testify at the initial federal law trial.

ORDERED:

1. The Court is prepared to consider acceptance of a stipulation from Counsel that if Abdrasilova were called as a witness at the initial federal law trial limited to consideration of issues relevant to Count I, violation of 42 U.S.C. § 1983 of the Second Amended Complaint, she would be permitted to testify to the opinion that a component of Plaintiffs' claim to protected property interests included a claim of harm to Montana City Meats, Inc.'s asserted "good will."

2. Honeycutt, as official capacity successor to the position of Executive Officer of the Montana Department of Livestock in replacement of Christian Mackay, will be allowed to testify as a fact witness at trial of issues relevant to Count I, violation of 42 U.S.C. § 1983 of the Second Amended Complaint.

DATED this 12<sup>th</sup> day of January, 2018.

  
SAM E. HADDON  
United States District Judge