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Pro Se Plaintiff

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CLERK, U.S. DISTRICT COURT
DISTRICT OF MONTANA
MISSOULA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MICHAEL E. SPREADBURY) Cause No: cv-11-64-DWM-JCL
Plaintiff)
v.) **PLAINTIFF MOTION**
BITTERROOT PUBLIC LIBRARY,) **IN OPPOSITION TO**
CITY OF HAMILTON,) **DEFENDANT LEE**
LEE ENTERPRISES, INC.,) **SUMMARY JUDGMENT**
BOONE KARLBERG, PC,)
_____)

Comes now Spreadbury with motion in opposition to summary judgment for Defendant Lee Enterprises PC (hereafter “Lee ”) in the aforementioned.

Motion:

Spreadbury respectfully requests court reject Defendant Lee motion for summary judgment due to issues of material fact that remain. Rule 56 of the Federal Rules

of Civil Procedure FRCP 56 dictate court look at issue in light most favorable to the non-moving party. Defendant Counsel for Lee has made improper sworn statement as to the facts of this case. The Court is directed to Plaintiff affidavit with respect to discovery article submitted with this motion. Court directed to Plaintiff pleading, leave file false swearing, perjury submitted with this motion to dismiss Defendant Lee request for summary judgment for material facts remaining before this Honorable court.

WHEREFORE, Plaintiff asks court to dismiss Defense counsel's request for summary judgment in light of issues of material fact that remain, false swearing on part of Defendant Lee in pleadings before this court.

This motion is opposed by Defense counsel.

Respectfully submitted this 6th day of October, 2011

BY: _____

Michael E. Spreadbury, Self Represented Plaintiff