

<p>ORDER OF PROTECTION</p> <p><input type="checkbox"/> Temporary Order <input checked="" type="checkbox"/> Permanent Order <input checked="" type="checkbox"/> Order Effective Date: <u>20 NOV. 2009</u> <input type="checkbox"/> Amended Order <input type="checkbox"/> Dissolved:</p>	<p>Case No: CV-2009-0000168-OP Court: Hamilton City Court Jurisdiction: City State: Montana</p>																																								
<p>PETITIONER/PLAINTIFF</p> <p style="text-align: center;"><u>NANSU N RODDY</u> First Middle Last</p> <p>And/or on behalf of minor family member(s): (list name, date of birth, sex, and race)</p>	<p>PETITION/PLAINTIFF IDENTIFIERS</p> <p>_____/E Date of Birth Race/Sex</p> <p>Other Protected Person(s): (list name, date of birth, sex, and race)</p>																																								
<p>RESPONDENT</p> <p style="text-align: center;"><u>Michael E Spreadbury</u> First Middle Last</p> <p>Respondent's Address: <u>700 S 4th</u> <u>Hamilton, MT 59840</u></p> <p>Federal Firearm Disqualification Criteria:</p> <p><input type="checkbox"/> Hearing/actual notice with opportunity to participate <input type="checkbox"/> Child or Intimate Partner married/divorced/common child/cohabitates or has cohabitated) <input type="checkbox"/> Order restrains Respondent from harassing, stalking, threatening, or other conduct that creates reasonable, fear of bodily injury to Petitioner(s) <input type="checkbox"/> Order finds a credible threat or prohibits use, attempted use or threatened use of physical force.</p> <p>CAUTION:</p> <p><input type="checkbox"/> Weapon Involved <input type="checkbox"/> Weapon on Property</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>SEX</td> <td>RACE</td> <td>DOB</td> <td>HT</td> <td>WT</td> </tr> <tr> <td>M</td> <td></td> <td></td> <td>510</td> <td>195</td> </tr> <tr> <td>EYES</td> <td>HAIR</td> <td colspan="3">SOCIAL SECURITY NO:</td> </tr> <tr> <td></td> <td></td> <td colspan="3"></td> </tr> <tr> <td colspan="2">DRIVERS LICENSE NO.</td> <td>STATE</td> <td colspan="2">EXP DATE</td> </tr> <tr> <td colspan="2"></td> <td>MT</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">VEH MAKE/MODEL</td> <td>COLOR</td> <td colspan="2">PLATE #</td> </tr> <tr> <td colspan="2"></td> <td></td> <td colspan="2"></td> </tr> </table> <p>Distinguishing Features:</p>	SEX	RACE	DOB	HT	WT	M			510	195	EYES	HAIR	SOCIAL SECURITY NO:								DRIVERS LICENSE NO.		STATE	EXP DATE				MT			VEH MAKE/MODEL		COLOR	PLATE #						
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THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and that the Petitioner is in danger of immediate harm. The Court acts without notice to the Respondent (Temporary Order) or Respondent has been provided with reasonable notice and opportunity to be heard (Permanent Order). Additional findings of this order are set forth below.

THE COURT HEREBY ORDERS:

- ↳ That the above-named Respondent be restrained from committing further acts of abuse or threats of abuse
- ↳ That the above-named Respondent shall stay at least 800 feet away from Petitioner's person, home, workplace, vehicle, children's school/daycare, other: _____
- ↳ Additional terms of this Order are set forth below:
EFFECTIVE UNTIL 20 NOV. 2014

20 NOV 2009
 Date

Michael J. R
 Judge

WARNINGS TO RESPONDENT:

This order shall be enforced, even without registration, by the court of any state, the District of Columbia, any U.S. Territory, and may be enforced on Tribal Lands, (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262). Federal law provides penalties for possessing transporting, shipping or receiving any firearm or ammunition (18 U.S.C. Section 922(a)(8)). Only the Court can change this Order.

11120109

Order of Protection

- Order After Hearing
- Amended Order
- Date of Issuance: _____
- Order Expires: _____

Case No. CV. 09. 168 OP
 Court Hamilton City Court
 County Avalli State of Montana
 Before the Honorable Michael Reardon

Petitioner/Protected Person

Nansu M Roddy

First Middle Last

- And/Or on behalf of family members (Protected Person/s)
(List name / year of birth / sex)

NA

Petitioner/Protected Person Identifiers

[Redacted]

Year of Birth of Petitioner

- Other Protected Person/s:
(List name / year of birth / sex)

NA

Respondent

Michael Spreadbury

First Middle Last

700 400 South 4th Street

Respondent's Address
Hamilton, MT 59840

Petitioner's/Protected Person's Relationship to Respondent:

- Married
- Were married, but are now separated
- Divorced
- Are currently dating or having an ongoing intimate relationship
- Live together
- Lived together in the past
- Have a child and/or children together
- Is a family member or a former family member of Respondent
- Dated or had an ongoing intimate relationship in the past
- Victim of sexual assault / stalking / assault / other

REASONABLE APPREHENSION OF BODILY INJ.

INTIMIDATION, A FELONY PENDING, 212 JUN. 0157R.

SEX	RACE	YEAR OF BIRTH	HT	WT
M	W	[Redacted]	70"	180
EYES	HAIR	DISTINGUISHING FEATURES		
	BR			
DRIVER'S LICENSE STATE				
[Redacted]				

CAUTION: Weapon Alleged to be Involved.

The court has jurisdiction over the parties and subject matter. The Respondent has been provided with reasonable notice and opportunity to be heard.

The terms of this Order shall be effective until NOV. 20 2014 at 11:59 P.M. unless terminated earlier by another Court Order.

WARNINGS: This Order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced on Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. Section 2282). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)(9)).

Violation of this Order may be a criminal offense under applicable Federal or Tribal law and is a criminal offense under Mont. Code Ann. § 45-5-220 or § 45-5-828 and may carry penalties of up to \$10,000 in fines and up to a 5 year jail sentence. It is a misdemeanor under Montana Code Annotated 45-5-220 and/or 45-5-828 for the Respondent, even if invited and after notice of this Order, to violate the provisions of this Order. Further, under Montana Code Annotated §§ 46-2-301 and 302(3), it is a crime for any person to aid and abet a crime, or, not being present, to advise and encourage a crime. Under Montana Code Annotated § 46-2-303, any person who counsels, aids, solicits or incites another to commit a misdemeanor is guilty of a misdemeanor. Therefore, it may be a crime for any person to encourage or invite contact between the Respondent and the Petitioner, except such contact as is expressly permitted by the above Order.

11/20/09

FINDINGS

The Court found, after a hearing, Petitioner and/or the Protected Persons is/are in danger of harm and that an Order of Protection is necessary to protect the same.

Petitioner Appeared: Yes No Represented by: MR BECK CITY ATTY

Respondent Appeared: Yes No Represented by: MR MILLER (SP)

The Respondent agreed to entry of a protection Order.

THE COURT ORDERS:

1. Respondent shall not threaten to commit or commit acts of violence against Petitioner and/or the following Protected Persons: _____

(PCO 01)

2. Respondent shall not harass, annoy, disturb the peace of, telephone, email, contact, or otherwise communicate, directly or indirectly, with Petitioner and/or the following Protected Persons: _____

(PCO 05)

3. Respondent shall not take the following child/ren out of this County or State: _____

4. Respondent shall stay at least 600 ⁶⁰⁰ ~~1500~~ feet from: _____ (PCO 04)

Petitioner

Minor child/ren: _____

Other people: _____

Petitioner's and/or Protected Person's residence at: 419 South 4th St, Hamilton

Petitioner's and/or Protected Person's job or workplace at: Hamilton/Bitterroot Public Library

Petitioner's and/or Protected Person's vehicle at: residence, workplace or any other place it is parked

The child/ren's school and/or child care: _____

Other places (describe): EXCEPT THE RESPONDENT MAY GO THE U.S POST OFFICE AND CITY & COUNTY OFFICES FOR THE PROMPT CONDUCT OF NECESSARY & ESSENTIAL BUSINESS

5. Respondent shall not possess the following firearms: _____

(PCO 07)

6. Respondent shall not take, hide, sell, damage or dispose of the following property:

7. Respondent shall give Petitioner and/or the Protected Persons possession or use of the following items (items may include the residence, automobile and other essential personal property no matter who owns it): _____

8. Law enforcement shall:

Remove the Respondent from the residence at _____. The time for removal shall be at the peace officer's discretion, but no later than _____ hours after service of this Order.

Place the Protected Person in possession of the residence at: _____

Supervise the removal of:

Protected Person's property listed in Number 7

Respondent's Items needed for employment and necessary personal effects (at peace officer's discretion) from the residence.

9. Respondent shall complete violence counseling, which may include alcohol or chemical dependency counseling or treatment, as follows: _____

10. The following is also ordered to provide for the safety and welfare of Petitioner and/or the Protected Persons: _____

11. **Conflicting Orders.**

If any term of another Order conflicts with any term of this Order you must follow the more restrictive term.

12. **Change in Address.** The parties shall keep the Court informed of their current mailing addresses.

13. **Future Notices.**

The parties have waived their right to personal service and agreed that all future notices of hearing may be served by mail.

14. **Other Relief as deemed appropriate by the Court :**

Respondent shall **NOT** have contact with the child/ren until further Order of the Court.

Supervised visitation is necessary:

supervised by: _____

neutral drop off/pick up location: _____

child/ren to be transported by: _____

Temporary visitation shall be awarded as follows:

This visitation schedule shall be in effect until _____, 20____. The parties are encouraged to file an action in the appropriate District or Tribal Court for permanent parenting arrangements.

Neither party shall remove the child/ren from _____ County

Other relief: _____

15. **Order to Clerk.** It is further ordered that the clerk of the court shall forward a copy of this Order to the appropriate law enforcement agency for immediate service upon Respondent; and the clerk shall deliver or mail a copy of this Order to the Petitioner.

Date: 20th November 2007 Signed: *Michael J. P.*
Judge

The Sheriff is hereby directed to serve, without cost to Petitioner, a copy of this Order of Protection together with a copy of Petitioner's petition upon Respondent and to file a return of service with the clerk of this court. This service will be as soon as possible and before the date of the hearing. Upon receipt of proof of this Order, the clerk is hereby directed to mail or otherwise promptly deliver a copy of this Order, together with a copy of the proof of service, to the following law enforcement agencies:

Date: _____

Signed: _____
Judge

I have received a copy of this Order. I understand I am required to notify the court of my current mailing address and telephone number as future notices will be delivered to me by mail.

Date: 20 NOV 03

Signed: *Norman P. ...*
Petitioner

I have received a copy of this Order. I understand I am required to notify the court of my current mailing address and telephone number as future notices will be delivered to me by mail.

Date: 20 NOV 03

Signed: *[Signature]*
Respondent

ATTENTION: KEEP A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST PEACE OFFICERS. IMMEDIATELY REPORT ANY VIOLATION OF THIS ORDER TO LAW ENFORCEMENT.

HAMILTON CITY COURT
223 SOUTH SECOND STREET
HAMILTON, MT 59840
(406) 363-6823

Nansu Roddy)
Petitioner,) CASE NO. CV 2009-168
)
) ORDER DENYING
vs.) HEARING
)
Michael E Spreadbury)
Defendant.)
_____)

The respondent has filed documents on December 17 and December 23, 2009 purportedly "seeking relief from the Court from false information which enacted an order of protection" and complaining he "cannot move freely in proximity to his home for no cause."

In denying this request the Court has reviewed its file in this cause the notes the petitioner testified on his own behalf and was ably represented by Mr. Miller of the OSPD who is representing the respondent on the felony charge of intimidation which arose out of the same event giving rise to the order of protection.

The Court also notes the respondent is awaiting trial in this Court on a misdemeanor charge of trespass and the order of protection is for the benefit of a witness in that case whom the respondent approached in violation of the conditions of release.

As was often the case in motions in the misdemeanor cause filed while the defendant was a self-represented litigant, the Court's response does not lend itself to a findings of fact -opinions- conclusions-of-law format because the basic problem is simply the defendants' limited understanding of law and procedure.

Consequently the Court will write a memorandum of law to shed light on its thoughts and guide those of the respondent.

MEMORANDUM OF LAW

1. Title 40, Chapter 15, M.C.A. deals generally with partner and family member assault victims and also affords protection to victims of assault even in the absence of any relation between the victim and the offender. 40-15-201 (2)(a), M.C.A. This is the jurisdictional predicate for the Court's action in this cause.
2. The Court first issued an ex parte temporary order of protection pursuant to 40-15-201(2) and later, following a hearing, a permanent order, of 5 years duration pursuant to 40-15-204(1) M.C.A.

12/28/09

3. Chapter 15 does not give a Judge anything like a complete procedural guide. It does allow a respondent to request an emergency hearing prior to the date of the section 204 hearing. And, it does allow a petitioner, but not a respondent to request termination of the order, 40-15-204(5) M.C.A. Finally, a section 201 order is immediately reviewable upon filing a notice of appeal, by a district judge who may affirm, dissolve, or dissolve the temporary order. Or, after a section 204 permanent order the matter may be removed to district upon filing a notice of removal. To my knowledge Chapter 15 does not allow a rehearing in this Court on a section 204 permanent order.

4. The respondent might attempt his bid for relief in other ways. An order of protection is a civil matter and in particular an injunction.

- a. **New Trial** A new trial is a reexamination of an issue of fact in the same court after a trial and decision 25-11-101 M.C.A. A court may vacate its decision and grant a new trial on the application of an aggrieved party for any one of three statutorily allowed causes materially affecting a substantial right of the party: (1) irregularity in the proceedings of the court or adverse party or any order or abuse of discretion by which the aggrieved party was prevented from having a fair trial; (2) accident or surprise that ordinary prudence could not have guarded against; or, (3) newly discovered evidence material for the party making the application that the aggrieved party could not, with reasonable diligence, have discovered and produced at trial, 25-11-102, 103 M.C.A. For the first cause the aggrieved party must make his application on the minutes of the court or on affidavits. For the second and third causes the aggrieved party must make his motion on affidavits, 25-11-104 M.C.A.
- b. **New Trials- Amendment of Judgment** Rule 59 MRCP amplifies the basic statutory rule.
A motion for a new trial must state with particularity the grounds therefore and the court may: take additional testimony; amend the findings of fact and conclusions of law or make new findings and conclusions; set aside, vacate, modify or confirm any judgment that may have been entered or direct the entry of a new judgment. Rule 59a MRCP. The motion must be made within 10 days of the aggrieved party having notice of the judgment. Rule 59(b) MRCP. The motion is deemed denied if not ruled upon within 60 days. Rule 59(d) MRCP.
- c. **Relief from Judgment or Order** Upon motion and upon such terms as are just a court may relieve a party from a final judgment for: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(b); (3) fraud, misrepresentation, or other misconduct of an adverse party; or, (4) any other reason justifying relief. Rule 60(b) MRCP.

ORDER

For the reason outlined above the defendant's motions for hearing is deemed a motion for relief from a judgment or order and are denied because they are not supported by affidavits and fail to allege any of the stated causes or reasons justifying relief.

Dated this 28th day of December 2009


Hamilton City Judge

CERTIFICATE OF SERVICE

I, the undersigned clerk, hereby certify by my signature below that a true and correct copy of the above order was placed in the City Court box for the City Attorney, Office of State Public Defender, _____.


Hamilton City Court Clerk

Cc: Ken Bell
Hamilton City Attorney

Nick Miller
OSPD

Michael Spreadbury
700 S 4th Street
Hamilton, MT 59840

**HAMILTON CITY COURT
 223 SOUTH SECOND STREET
 HAMILTON, MT 59840
 (406) 363-6823**

Nansu Rody)
 Petitioner,)
)
)
)
)
 vs.)
)
 Michael E Spreadbury)
 Defendant.)
 _____)

CASE NO. CV 2009-168

**ORDER DENYING A
 SECOND MOTION FOR A NEW TRIAL**

The respondent has filed a second motion for a "new trial" (see line 1:24 of his motion of) in connection with a permanent order of protection. The nub of his argument is that the order of protection effectively denies him access to the local public library.

In addition to being the respondent in the order of protection matter Mr. Spreadbury is also a defendant in cause, CR-2009-053, Hamilton City Court, charged with trespassing on the library premises after being ordered off the premises. He is also a defendant in Cause DC-2009-154/10 in the 21st Judicial District Court where he is charged with the felony offense of intimidation in which the victim is a senior library employee. The brief incident giving rise to the intimidation charge is the same incident which gave rise to the order of protection, and entailed demand that the employee pressure the City Attorney into dropping the misdemeanor charge. Moreover, in each prosecution a court has ordered conditions of release which effectively deny

Mr. Spreadbury access to the library. Lastly, the conduct giving rise to the order of protection (and the intimidation charge) was itself a violation of this court's order on pre-trial release on the misdemeanor charge.

For these reasons the court declines to rule on the petitioner's motion for a new trial until such time as the final dispositions in both the pending criminal cases allow the respondent access to the library.

There is another reason for not granting the respondent's requested relief at this time. In its order of December 28, 2009 the court directed the respondent's attention to the law of new trial, amendment of judgment, and relief from judgment. The respondent replied with a sworn critique of the court's order on December 31, 2009. Whatever else the respondent's December 31, 2009 motion may have been, it was not evidence of irregularity in the proceedings, nor of accident or surprise, nor of newly discovered evidence, nor of fraud, misrepresentation, or other misconduct of the party petitioner.

For all of these reasons the court declines to rule on the respondent's motion of December 31, 2009, at this time and will take the entire matter under advisement until all other orders denying him an access to the library become inoperative.

Dated the 19th day of January, 2010


Hamilton City Judge

CERTIFICATE OF SERVICE

I, the undersigned clerk, hereby certify by my signature below that a true and correct copy of the above order was placed in the City Court box for the City Attorney, Nick Miller, and mailed to the Defendant by first class mail on 1-19-10.

BD Blarney
Hamilton City Court Clerk

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John W. Larson, District Judge
Fourth Judicial District Dept. 3
Missoula County Courthouse
Missoula, MT 59802
(406) 258-4773

RECEIVED
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FILED
DEBBIE HARMON, CLERK
OCT 07 2010
Debbie Harmon
DEPUTY

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT,
RAVALLI COUNTY

MICHAEL E. SPREADBURY,
Plaintiff,
v.
NANSU RODDY,
Defendant.

Cause No. DV-10-224 /31

OPINION AND ORDER
GRANTING DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT

This matter comes before the Court on Defendant Roddy's Motion for Summary Judgment.

Background

The Court finds the facts as the following. On November 20, 2009, Hamilton City Court issued a Permanent Order of Protection following a hearing involving Defendant Nansu Roddy, librarian at the Bitterroot Library, and Plaintiff Michael Spreadbury. On May 7, 2010, Plaintiff filed an Amended Complaint claiming infliction of emotional distress and alleging that Defendant Roddy gave false information to a police officer and a municipal judge during the protection order hearing. On May 20, 2010, this

10/5/10

1 Court affirmed the Order of Protection. Plaintiff again appealed, and the
2 Montana Supreme Court ordered the appeal moot because it was not timely
3 filed.

4 Standard

5 Under Rule 56, M.R.Civ.P., summary judgment is proper if "the
6 pleadings, depositions, answers to interrogatories, and admissions on file,
7 together with the affidavits, if any, show that there is no genuine issue as to
8 any material fact and that the moving party is entitled to a judgment as a
9 matter of law." The Montana Supreme Court explained the standard as
10 follows:
11
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13 The movant must demonstrate that no genuine issues of material
14 fact exist. Once this has been accomplished, the burden then
15 shifts to the non-moving party to prove, by more than mere
16 denial and speculation, that a genuine issue does exist. Having
17 determined that genuine issues of fact do not exist, the court
18 must then determine whether the moving party is entitled to
19 judgment as a matter of law.
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23 *Mathews v. BJS Constr., Inc.*, 2003 MT 116, ¶ 12, 315 Mont. 441, 444-45,
24 68 P.3d 865, 868 (citing *Oliver v. Stimson Lumber Co*, 1999 MT 328, ¶ 21,
25 297 Mont. 336, 342, 993 P.2d 11, 16 (quoting *Bruner v. Yellowstone County*,
26

272 Mont. 261, 264-65, 900 P.2d 901, 903 (1995)).

Discussion

Defendant argues that Plaintiff has not established any evidence of wrongdoing to support his stand-alone claim for emotional distress.

Defendant argues that Plaintiff has not provided any specificity as to what testimony at the hearing was allegedly false, nor has Plaintiff explained how this testimony has resulted in severe emotional distress. Defendant also argues that Plaintiff's claim is barred by *res judicata* and collateral estoppel because Plaintiff has already had an opportunity to litigate the matter of Defendant's credibility, which is the basis for this emotional distress claim, during the Hamilton City Court hearing on the protective order. *Burgess v. State*, 237 Mont. 364, 366, 772 P.2d 1272, 1273 (1989). Defendant argues that the Permanent Order of Protection was granted following a hearing, and Plaintiff had the opportunity to argue and present evidence to impeach Defendant's credibility at that time. Defendant argues that Plaintiff is barred from now pursuing the emotional distress claim because the parties and subject matter are the same.

Plaintiff counters that there are issues of material fact because Defendant made a false statement to a judge, which was different than the report Defendant gave to the police, causing Plaintiff emotional distress.

1 Plaintiff argues that he has not had an opportunity to litigate the emotional
2 distress matter before a jury. Plaintiff argues that as a result of the
3 inconsistency between the police report and the sworn statement to the
4 judge, there is a material factual dispute.

5 Here, Plaintiff alleges that Defendant "intentionally distort[ed] the
6 known facts, and dangers present to the Defendant," and told Plaintiff that
7 she "thought she knew how to help him," while testifying in connection with
8 her request for a protective order. Pl. Amend. Compl. ¶¶ 3-4. Plaintiff also
9 claims that the alleged false statements and distortions caused him "undue
10 jeopardy." Parties asserting independent emotional distress claims must
11 establish "serious" or "severe" emotional distress claims to ensure recovery
12 on genuine claims, and the court must determine whether on the evidence
13 severe [serious] emotional distress can be found. *Sacco v. High Country*
14 *Independent Press*, 271 Mont. 209, 233, 896 P.2d 411, 425 (1995). Plaintiff
15 has not introduced sufficient evidence to support a prima facie case for
16 infliction of emotional distress because he has not established serious or
17 severe emotional distress. This Court has determined that Plaintiff has
18 failed to establish a genuine issue of material fact beyond speculation, and
19 Defendant is entitled to judgment as a matter of law.
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For these reasons,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that

Defendant's Motion for Summary Judgment is GRANTED.

DATED this 5th day of October, 2010.


JOHN W. LARSON, District Judge

10-07-10 DK
Copies of the foregoing were sent to:

Michael E. Spreadbury
700 South 4th Street
Hamilton, MT 59840
(406) 363-3877

Natasha Prinzing Jones, Esq.
Boone, Karlberg, P.C.
201 W. Main, Suite 301
Missoula, MT 59802

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FILED
DEBBIE HARMON, CLERK

NOV 03 2010

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William L. Crowley
Natasha Prinzing Jones
BOONE KARLBERG P.C.
201 West Main, Suite 300
P.O. Box 9199
Missoula, MT 59807-9199
Tel: (406)543-6646

Attorneys for Defendant Nansu Roddy

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT, RAVALLI COUNTY

MICHAEL E. SPREADBURY,

Plaintiff,

v.

NANSU RODDY,

Defendant.


Cause No. DV-10-224

NOTICE OF ENTRY OF JUDGMENT

Pursuant to Mont. R. Civ. P. 77(d), please take notice that a Judgment dated October 18, 2010, dismissing Plaintiff's Complaint has been entered in favor of Defendant and against Plaintiff. A copy of the Judgment is attached hereto.

DATED this 1st day of November, 2010.

BOONE KARLBERG P.C.


Natasha Prinzing Jones
*Attorneys for Defendant
Nansu Roddy*

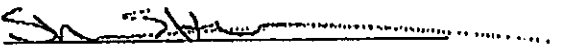
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CERTIFICATE OF SERVICE

This is to certify that the foregoing was duly served by U.S. Mail upon the following at
his address this 1st day of November, 2010.

Michael E. Spreadbury
700 South Fourth Street
Hamilton, MT 59840

BOONE KARLBERG P.C.

By: 

1 Hon. John W. Larson
District Judge
2 Fourth Judicial District, Dept. 3
Missoula County Courthouse
3 200 West Broadway
Missoula, MT 59802
4 (406) 258-4773

FILED
OCT 22 2010

FILED
DEBBIE HANSON, CLERK

OCT 22 2010

Angela Clancy
DEPUTY

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8 MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT, RAVALLI COUNTY

9 MICHAEL E. SPREADBURY,

Cause No. DV-10-224 / 33

10 Plaintiff,

JUDGMENT

11 v.

12 NANSU RODDY,

13 Defendant.

14
15 On October 7, 2010, the Court granted the motion for summary judgment filed by
16 Defendant Nansu Roddy. Accordingly,

17 GOOD CAUSE APPEARING, judgment is hereby entered in favor of Defendant Roddy.

18 This matter is DISMISSED WITH PREJUDICE.

19 ORDERED this 17th day of October, 2010.

20
21 *John W. Larson*
Hon. John W. Larson
District Judge

22
23 cc: Michael E. Spreadbury
Nakisha Prinzling Jones and William L. Crowley

I certify that I forwarded copies of
this instrument to counsel of record
at Missoula, MT, on
October 22, 2010
Debbie Hanson, Clerk

Angela Clancy
Deputy

24
25 JUDGMENT - Page 1