

William L. Crowley
Natasha Prinzing Jones
Thomas J. Leonard
BOONE KARLBERG P.C.
201 West Main, Suite 300
P.O. Box 9199
Missoula, MT 59807-9199
Telephone: (406)543-6646
Facsimile: (406) 549-6804
bcrowley@boonekarlberg.com
npjones@boonekarlberg.com
tleonard@boonekarlberg.com

Attorneys for City and Library Defendants

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

MICHAEL E. SPREADBURY,

Plaintiff,

v.

BITTERROOT PUBLIC LIBRARY,
CITY OF HAMILTON, LEE
ENTERPRISES, INC., BOONE
KARLBERG P.C., DR. ROBERT
BROPHY, TRISTA SMITH, NANSU
RODDY, JERRY STEELE, STEVE
SNAVELY, STEVEN BRUNER-
MURPHY, RYAN OSTER,
KENNETH S. BELL and JENNIFER
LINT,

Defendants.

Cause No. CV-11-064-M-DWM

**DEFENDANTS BITTERROOT
PUBLIC LIBRARY AND CITY OF
HAMILTON'S REQUEST FOR
LEAVE TO FILE
SUPPLEMENTAL SUMMARY
JUDGMENT MOTION AND
BRIEF**

Defendants Bitterroot Public Library and City of Hamilton (collectively, “City Defendants”) request the Court grant leave to file a limited supplemental summary judgment motion and brief. Specifically, the City Defendants wish to brief the breach and causation elements of those state law negligence claims that, under the Court’s recent Findings and Recommendations, survived the City Defendants’ Motion for Summary Judgment on Plaintiff’s State Law Claims. Good cause supports the request. The request is also supported by a brief filed along with the motion. Plaintiff has been contacted with respect to this request, and he objects thereto.

DATED this 9th day of March, 2011.

/s/Thomas J. Leonard
Thomas J. Leonard
BOONE KARLBERG P.C.
Attorneys for City Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on the 9th day of March, 2012, a copy of the foregoing document was served on the following persons by the following means:

- 1, 3 CM/ECF
- _____ Hand Delivery
- 2 Mail
- _____ Overnight Delivery Service
- _____ Fax
- _____ E-Mail

1. Clerk, U.S. District Court
2. Michael E. Spreadbury
 700 South Fourth Street
 Hamilton, MT 59840
3. Anita Harper Poe
 Jeffrey B. Smith
 Garlington, Lohn & Robinson, PLLP
 350 Ryman Street
 P.O. Box 7909
 Missoula, MT 59807-7909

/s/ Thomas J. Leonard _____
Thomas J. Leonard
BOONE KARLBERG P.C.
Attorneys for City and Library Defendants