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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-JCL

**CITY AND BITTERROOT
PUBLIC LIBRARY'S MOTION TO
COMPEL PLAINTIFF'S
PARTICIPATION IN PRETRIAL
ORDER**

In accordance with Rule 16, Federal Rules of Civil Procedure, the Court's inherent power to control trial administration, and the Court's Scheduling Order (Doc. 182, pp. 2-3), Defendants City of Hamilton ("City") and Bitterroot Public Library ("BPL") move the Court for its order requiring Plaintiff to participate in drafting a pretrial order in the above case. The Court should require Mr. Spreadbury to provide defense counsel with Plaintiff's contentions and Plaintiff's exhibit, discovery and witness lists, together with any proposed modifications to the pretrial order provided to Mr. Spreadbury on May 3, 2012. Further, Mr. Spreadbury should be required to attend a meeting at Boone Karlberg P.C. for purposes of discussing the proposed pretrial order. Mr. Spreadbury has been advised that a meeting at 1:00 p.m. on May 24, 2012, or May 26, 2012, can be accommodated. In the alternative, if Mr. Spreadbury refuses to participate in putting a pretrial order together, his remaining claims against the City and BPL should be dismissed. As set forth in the brief supporting this motion, good cause exists for this motion, and it would be an abuse of discretion to deny it. Further, Plaintiff opposes the motion.

DATED this 21st day of May, 2012.

/s/ William L. Crowley
William L. Crowley
BOONE KARLBERG P.C.
Attorneys for City and Library Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on the 21st day of May, 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
- 2 E-Mail

1. Clerk, U.S. District Court
2. Michael E. Spreadbury
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Hamilton, MT 59840
3. Anita Harper Poe
Jeffrey B. Smith
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/s/ William L. Crowley
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