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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
DISMISS PLAINTIFF'S CLAIMS
FOR FAILURE TO COMPLY
WITH COURT ORDER**

In accordance with Rule 16, Federal Rules of Civil Procedure, the Court's inherent power to control trial administration, the Court's Scheduling Order (Doc. 182, pp. 2-3) and the Court's Order, filed May 23, 2012 (Doc. 289), Defendants City of Hamilton ("City") and Bitterroot Public Library ("BPL") move the Court for its order dismissing Plaintiff's remaining claims against them for failure to comply with the Court's order. Despite the Court's May 23, 2012, Order, Plaintiff has not served counsel for the City and BPL with a written statement setting forth the information required by the Order. [Doc. 289, pp. 2-3.] This motion is supported by a brief filed along with the motion.

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.

DATED this 29th 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 29th 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
 700 South Fourth Street
 Hamilton, MT 59840
- 3. Anita Harper Poe
 Jeffrey B. Smith
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 350 Ryman Street
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/s/ William L. Crowley
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