

Shannon Holdsambeck

From: Thomas Leonard
Sent: Tuesday, May 22, 2012 3:09 PM
To: Michael Spreadbury; Bill Crowley; Tasha Jones; jbsmith@garlington.com; ahpoe@garlington.com
Cc: Shannon Holdsambeck
Subject: RE: Voluntary Dismissal BPL case
Importance: High

Mr. Spreadbury,

I strongly urge you not to file the documents you forwarded as currently written. Stating that your motion for "voluntary dismissal" is unopposed would be a misrepresentation to the Court on your part. The fact is, your motion is not a motion for "voluntary dismissal." Instead, it appears you are making a settlement offer, and dismissal is contingent upon my clients' agreement to certain terms. Of course, I will forward your offer to my clients for review and consideration, but it would be false to represent or imply to the Court that an agreement has been reached.

You know full well that we have bent over backwards trying to orchestrate a pretrial conference with you. Moreover, you may very well prefer to work with different attorneys in our firm, but alas, that is not your choice.

I will let you know when we have had a chance to confer with our clients regarding your offer. Before that time, please refrain from filing anything with the Court, or at least modify the documents you intend to file so that they accurately reflect the facts (i.e., the City Defendants have thus far not agreed to any of your terms). Thank you.

Thomas J. Leonard

BOONE  **KARLBERG**
ATTORNEYS AT LAW
201 West Main St., PO Box 9199
Missoula, MT 59807
406.543.6646
www.boonekarlberg.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

From: Michael Spreadbury [<mailto:mspread@hotmail.com>]
Sent: Tuesday, May 22, 2012 2:49 PM
To: Bill Crowley; Tasha Jones; Thomas Leonard; jbsmith@garlington.com; ahpoe@garlington.com
Cc: Shannon Holdsambeck
Subject: Voluntary Dismissal BPL case

Dear Attorneys of Record
Spreadbury v. Bitterroot Public Library et. al.

As the Plaintiff in this matter, I have chosen a route for dismissal of this case. I am assuming that a non-monetary settlement prior to preparation for trial will be accepted by your clients. My requests are few, and are contained in the settlement agreement attached. Signatures for agreement are contained in the attached motion for voluntary dismissal which complies with Rule 41 and its associated parameters.

While I have no problem with Mr. Jeffrey Smith of GLR, I have no experience with Ms. Harper Poe and assume professional conduct will occur.

As for Boone Karlberg, I wish to work with Ross Tilman, or Matt Hayhurst due to no partner, associate, or attorney of record willing to conduct a pre-trial conference as was court ordered in this case. I realize an attorney of record from Boone will have to sign this agreement.

My phone is 363-3877.

This paperwork is being served on the court with my signature, and to the Defendants.

Thank you,

Michael Spreadbury