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**FILED**  
 JUL 27 2011  
 PATRICK E. DOWNEY  
 By                       
 DEPUTY CLERK MISSOULA

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

MICHAEL E. SPREADBURY	) Cause No: CV-11-64-DWM-JCL
Plaintiff	)
v.	) <b>MOTION FOR</b>
BITTERROOT PUBLIC LIBRARY,	) <b>PROTECTIVE ORDER</b>
CITY OF HAMILTON,	) <b>BRIEF IN SUPPORT</b>
LEE ENTERPRISES, INC.,	)
BOONE KARLBERG, PC,	)
_____	)

Comes now Spreadbury with motion , brief in support of protective order from this court with respect to information and evidence submitted by Defense counsel which is prohibited by Federal Rules of Civil Procedure, irrelevant to case.

Motion:

WHEREFORE, Spreadbury moves that Honorable Court issue protective order restricting use of information from a November 4, 2009 conversation between Spreadbury and Defendant Roddy. Said discussion is not within the scope of the aforementioned, is restricted from use by F.R.Civ. P. 26 (B)(viii) as exempt from initial disclosure as ancillary to a proceeding in another court; Cause No. DA-10-0619 before the Supreme Court for the State of Montana. FRCP 26 (C) (1) protects from annoyance, embarrassment, or oppression. Court authority presented in this pleading affirm the granting of protective order of irrelevant information as defined in FRCP 26 (3)(b)(1) discovery scope and limits. Court is asked to grant protective order restricting use of November 4, 2009 information in aforementioned. Defense Counsel oppose this motion, due to wish of severe defamation of Spreadbury outside rules of this court regardless of outcome in ancillary court.

Brief in Support

The Honorable Court has duty to uphold Federal Rules, established rights, and well established court authority in causes of actions within this Federal circuit.

Therefore, this court has a duty, and sworn obligation to protect parties from information which goes beyond the bounds of proper cross examination merely to

harass, annoy or humiliate a party *Alford v. US* 282 US at 694 (1931) citing *Davis v. Alaska* 415 US 308 (1974). Within the FRCP, any information which is pending before an ancillary court is excluded from information FRCP 26 (B) (viii). In aforementioned, Defense counsel has submitted information that is pending before the Supreme Court for the State of Montana Cause No. DA-10-0619, has no relevance to the peaceful assembly of Spreadbury on public property August 20, 2009, or the denial of right to procedural due process with respect to statutory library privileges at the Bitterroot Public Library germane to aforementioned. Why defense counsel charged with the defense of municipality, print media corporation would include additional defamatory articles, out of scope and limits of aforementioned can only be explained in the preparation of the University of Montana Law students as the 172 ranking of 200 in the nation and declining. This Court has a substantial interest in preventing the damage to reputation and privacy that comes with Defendant Counsel abuse of Federal Rules of Civil Procedure *Seattle Times Co. v. Rhinehart* 467 US at 35 (1984) citing *Herbert v. Lando* 441 US 153 (1979). The prevention of abuse is sufficient for the authorization of a protective order restricting use of out of scope information in the aforementioned *Seattle Times Co. at* 36. Spreadbury has endured more than thirty (30) articles, two (2) AP articles, publication in a national newspaper which contained false and abusive republication of information generated by the

Defendants in Civil Conspiracy (working together) per 42 USC s. 1983;  
Spreadbury sought relief before this court [see First Request for Injunctive Relief  
filed concurrently with this pleading].

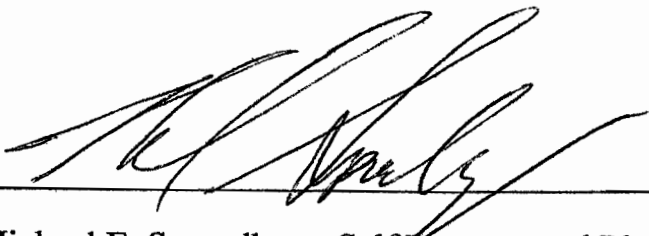
For adherence with FRCP, well established court precedent presented herein, Court  
is obligated by its oath to the 42<sup>nd</sup> President to uphold Federal Laws and  
Constitution to issue a protective order for information out of scope of the  
aforementioned, and currently before an ancillary court: The Montana Supreme  
Court. It is proper therefore to grant Spreadbury's good faith request for protective  
order against Defense information out of scope of aforementioned.

Certificate of Compliance

From LR 7(d)(2)(E) US District Court Rules Montana, I certify that this brief  
conforms with 14 point font, New Times Roman typeface, is double spaced,  
contains 544 words excluding title page, this compliance.

Respectfully submitted this 18<sup>th</sup> day of July, 2011

BY: \_\_\_\_\_

  
Michael E. Spreadbury, Self Represented Plaintiff