

1 Michael E. Spreadbury
2 700 South Fourth St.
3 Hamilton, MT 59840
4 Tel. (406) 363-3877
5 mspread@hotmail.com

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APR 21 2011

Gayle Sawyer
DEPUTY

6 MONTANA 21ST JUDICIAL DISTRICT COURT
7 RAVALLI COUNTY

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9 MICHAEL E. SPREADBURY,)
10 Plaintiff) Cause No: DV-11-184 / 15
11 v.) Judge Townsend/Department 4
12 BITTERROOT PUBLIC LIBRARY,)
13 CITY OF HAMILTON,) **OBJECTION TO REMOVAL, USE OF**
14 LEE ENTERPRISES INC.,) **PUBLIC FUNDS BY DEFENSE**
15 BOONE KARLBERG P.C.,)
16 Defendants)

17 Comes now Plaintiff, with respectful objection to removal of complete case, partial case to
18 Federal court, and improper use of municipal funds for Defense Counsel.

19 The State of Montana has jurisdiction over §1983 matters presented to this court. A cause of
20 action for 42 USC §1983 is able to be filed in State or Federal Court in any state within the
21 American Union. This Honorable court has the ability to hear the aforementioned in its entirety.

22 Two (2) of the four (4) pled causes of action in the aforementioned are for Emotional Distress
23 (ED). As was communicated between parties by electronic mail on this date, ED is not
24 recognized in Federal Courts. To allow the full casuse of action to be removed would violate the
25 Plaintiff right to redress injury as found in Art. II s. 16 Montana Constitution: The
26 Administration of Justice.

27 The Honorable Karen S. Townsend has made oath to uphold the Montana Constitution in Art. III
28 s. 3, includes the administration of justice for the parties present before this court.

29 Plaintiff requires that honorable court make order to enjoin Defendants to return full or partial
30 case back to 21st District for adjudication. If Defense wishes to house federal questions within
31 the US District Court for the State of Montana, as properly presented in this case, two distinct
32 causes of action will arise from the aforementioned.

33 The ED causes of action must remain in this honorable court, as can the defamation, negligence
34 causes of action. The only aspect of this case that could be considered to move would be the
35 federal question, which has original jurisdiction in the 21st Montana District Court Honorable
36 Karen S Townsend presiding.

37 An issue of public fraud arises, potential conflict as Boone Karlberg PC is paid to represent a
38 non-municipal defendant, Bitterroot Public Library (BPL), and as was communicated by William
39 L. Crowley, partner is funded by MMIA. Coverage for legal costs by MMIA is exclusively for
40 municipal entities, to which BPL is not. As civil conspiracy is pled against the Defendants, the
41 Plaintiff is not sure the proper role of Boone Karlberg PC as counsel for BPL, City of Hamilton.
42 Scott Stearns of Boone Karlberg PC informed Plaintiff that Lee Enterprises retains Boone for
43 legal defense. The gratis "coverage" of BPL by co-Defendant City of Hamilton, MT is improper
44 before this honorable court.

45 **WHEREFORE**, Plaintiff makes respectful objection before this court, requests order retaining
46 Emotional Distress (ED), Defamation, and negligence causes of action to the 21st District. The
47 ED causes of action have no jurisdiction in a federal courtroom. Honorable Court is asked to

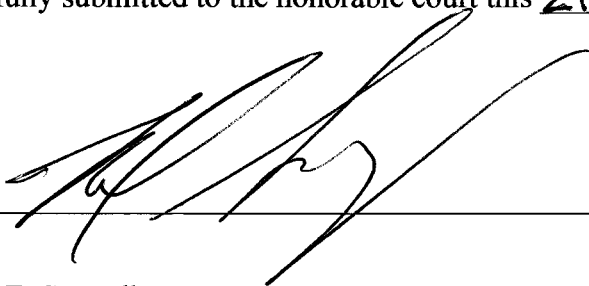
48 examine Defense counsel, municipal fraud by Defense Counsel, Defendants, and require
49 retention agreements to be presented to court *in-camera* to ensure proper adherence to law,
50 professional practice standards of court officers before this court. Defendant Bitterroot Public
51 Library is an independent library district per MCA§ 22-1-601(3)(e) is ineligible for municipal
52 funds for legal defense under the Montana Municipal Interlocal Authority (MMIA) and must pay
53 for, and seek their own counsel. Otherwise, public for which this court serves defrauded.

54

55 Respectfully submitted to the honorable court this 21st day of April, 2010

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57



58 Michael E. Spreadbury

59 Plaintiff (self-represented)

Certificate of Service:

I certify as a Plaintiff in this action, a copy of the below named pleading was served upon the Defendant by First Class United States Mail. The following address was used:

Objection to Removal, Use of Public Funds by Defense

Cause No. DV-11-184; 21st District Court , heard by 4th District Judge Townsend.

Natasha Prinzing-Jones

Boone Karlberg PC

PO Box 9199

Missoula, MT 59807-9199

Dated: 4/21/11

4/21/11



Michael E. Spreadbury, self represented litigant.