

FILED

March 24 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

FILED

MAR 24 2010

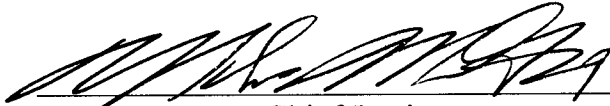
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

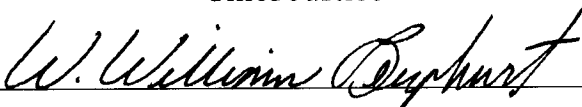
Pursuant to M. R. App. P. 7(4)(d), the Clerk of this Court is granted authority to appoint a mediator in the event the parties do not voluntarily and timely select a mediator of their own choosing.

IT IS HEREBY ORDERED that the Clerk of this Court is granted further authority to grant or deny motions to substitute a mediator for the mediator previously appointed by the Clerk. In determining whether to grant or deny such a motion, the Clerk should consider whether the motion is stipulated to by all parties and whether the motion is timely; that is, whether there is enough time remaining to complete the mediation process within the time frame of M. R. App. P. 7(3)(a). An order from the Clerk appointing a new mediator is subject to the condition that the parties remain liable for any fees and costs incurred by the previously appointed mediator prior to the order of substitution.

Dated this 23rd day of March, 2010.



Chief Justice



Br-Mc-
Michael Andrew
John
Jim Rice
Justices