

1 Michael P. Heringer
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3 BROWN LAW FIRM, P.C.
4 315 North 24th Street
5 P.O. Drawer 849
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7 Tel (406) 248-2611
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9 *Attorneys for Respondents Glastonbury*
10 *Landowners Association, Inc.*

6 Alanah Griffith
7 Pape & Griffith, PLLC
8 26 E. Mendenhall
9 Bozeman, MT 59715
10 Tel (406) 522-0014
11 Fax (406) 585-2633
12 *Attorneys for Respondents Glastonbury*
13 *Landowners Association, Inc.*

11 **MONTANA SIXTH JUDICIAL DISTRICT COURT, PARK COUNTY**

12 DANIEL K. O'CONNELL and VALERY A.
13 O'CONNELL,

14 Plaintiffs,

15 v.

16 GLASTONBURY LANDOWNERS
17 ASSOCIATION, INC. & Current GLA Board
18 of Directors,

18 Defendants.

Cause No.: DV-2011-114
Judge David Cybulski

**DEFENDANT'S SUBMISSION OF
ATTORNEY FEES AND COSTS**

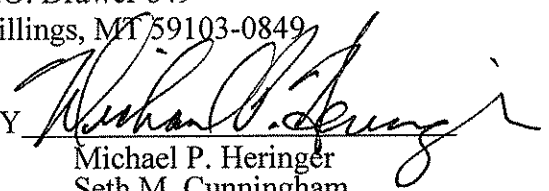
19 COMES NOW the above named Defendant Glastonbury Landowners Association, Inc. (GLA)
20 and submits its attorney fees and costs pursuant to this Court's Order dated September 8, 2014 granting
21 the GLA its reasonable attorney fees and costs incurred in bringing and briefing its Motion to Quash
22 Subpoenas for Depositions.
23

24 The total attorney fees incurred in bringing and briefing this Motion are \$4,984.50 as shown by
25 the attached affidavits of Michael P. Heringer and Seth M. Cunningham. A Proposed Order granting
26 these fees is also attached.
27
28

DATED this 25th day of September, 2014.

BROWN LAW FIRM, P.C.
315 North 24th Street
P.O. Drawer 849
Billings, MT 59103-0849

BY



Michael P. Heringer
Seth M. Cunningham
The Brown Law Firm, PC
*Attorneys for Glastonbury
Landowners Association, Inc.*

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1 **CERTIFICATE OF SERVICE**

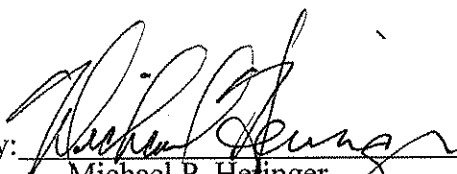
2 I hereby certify that a true and correct copy of the foregoing was duly served by U.S. mail,
3 postage prepaid, and addressed as follows this 25th day of September, 2014:

4 Daniel and Valery O'Connell
5 PO Box 77
6 Emigrant, MT 59027
7 *Plaintiffs pro se*

Honorable Judge David Cybulski
573 Shippe Canyon Road
Plentywood, MT 59254

8 Daniel and Valery O'Connell
9 PO Box 774
10 Cayucos, CA 93430
11 *Plaintiffs pro se*

12 Alanah Griffith
13 Pape & Griffith, PLLC
14 26 E. Mendenhall
15 Bozeman, MT 59715
16 Tel (406) 522-0014
17 Fax (406) 585-2633
18 *Attorneys for Respondents Glastonbury*
19 *Landowners Association, Inc.*

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By: 
Michael P. Heringer
Seth M. Cunningham
The Brown Law Firm, PC

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2 Seth M. Cunningham
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10 *Glastonbury Landowners*
11 *Association, Inc.*

7 **MONTANA SIXTH JUDICIAL DISTRICT COURT, PARK COUNTY**

8 DANIEL K. O'CONNELL and VALERY A.
9 O'CONNELL,

10 Plaintiffs,

11 v.

12 GLASTONBURY LANDOWNERS
13 ASSOCIATION, INC. & Current GLA Board
14 of Directors,

15 Defendants.

Cause No.: DV-2011-114
Judge David Cybulski

AFFIDAVIT OF MICHAEL P. HERINGER

16 STATE OF MONTANA)
17) :SS
18 County of Yellowstone)

19 Michael P. Heringer, being first duly sworn on his oath deposes and states:

20 1. I am an attorney representing the Glastonbury Landowners Association, Inc. and its
21 Board of Directors in the above-entitled cause of action, and I am licensed to practice law in the State of
22 Montana.

23 2. I have practiced law continuously since 1985. My billing rate for the legal services
24 provided in this matter is \$185.00 per hour.

25 3. I have billed a total of 6.8 hours in this matter. My total fees billed are \$1,258.00. The
26 services provided in this matter include review of the documents, communication with clients, research,
27 drafting, and revising incurred as a result bringing and briefing the Motion to Quash.
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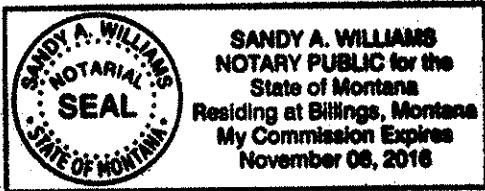
Further, affiant sayeth naught.

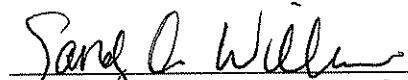
DATED this 25th day of September, 2014.



Michael P. Heringer

SUBSCRIBED AND SWORN to me by Michael P. Heringer on this 25th day of September, 2014.





Notary Public for the State of Montana
Sandy A. Williams
Printed or Typed Name of Notary
Residing at: Billings, MT
My commission expires: 11-6-16

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2 Seth M. Cunningham
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9 O'CONNELL,

10 Plaintiffs,

11 v.

12 GLASTONBURY LANDOWNERS
13 ASSOCIATION, INC. & Current GLA Board
14 of Directors,

15 Defendants.

Cause No.: DV-2011-114
Judge David Cybulski

AFFIDAVIT OF SETH M. CUNNINGHAM

16 STATE OF MONTANA)
17)
18 County of Yellowstone)

19 Seth M. Cunningham, being first duly sworn on his oath deposes and states:

20 1. I am an attorney representing the Glastonbury Landowners Association, Inc. and its
21 Board of Directors in the above-entitled cause of action, and I am licensed to practice law in the State of
22 Montana.

23 2. I have practiced law continuously since 2009. My billing rate for the legal services
24 provided in this matter is \$145.00 per hour.

25 3. I have billed a total of 25.7 hours in this matter. My total fees billed are \$3,726.50. The
26 services provided in this matter include review of the documents, communication with clients, research,
27 drafting, and revising incurred as a result bringing and briefing the Motion to Quash.
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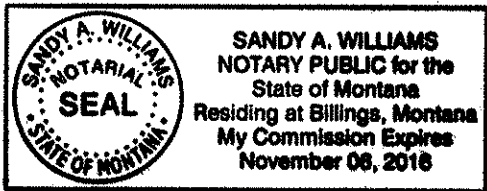
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Further, affiant sayeth naught.

DATED this 25th day of September, 2014.

Seth M. Cunningham
Seth M. Cunningham

SUBSCRIBED AND SWORN to me by Seth M. Cunningham on this 25th day of September, 2014.



Sandy A. Williams
Notary Public for the State of Montana
Sandy A. Williams
Printed or Typed Name of Notary
Residing at: Billings, MT
My commission expires: 11-6-16