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

DANIEL and VALERY O'CONNELL (for and  
on behalf of GLA landowners),

Plaintiffs,

v.

GLASTONBURY LANDOWNERS  
ASSOCIATION, INC. Board of Directors,

Defendants.

Cause No.: DV-2012-220  
DV-2012-164  
Judge Brenda R. Gilbert

**DEFENDANTS' MOTION FOR LEAVE TO  
RESPOND TO "PLAINTIFFS' ORAL  
SUMMARY" AND "TABLE OF  
AUTHORITIES & NOTES"**

COME NOW the above named Defendants Glastonbury Landowners Association, Inc. Board of Directors (GLA) and moves this Court for leave to respond to "Plaintiffs' Oral Summary" and "Table of Authorities & Notes." Oral arguments for cross-motions for summary judgment were held in this matter on June 5, 2013. At that time, Plaintiffs submitted a document titled "Table of Authorities & Notes (DV-12-164). They also filed "Plaintiffs' Oral Summary (DV-12-164)." These documents constitute additional briefing and raise arguments not raised in the initial briefs.

Plaintiffs' "Table of Authorities & Notes" appears to be citations to case and law, statutes, and GLA governing documents. However, it is also interspersed with arguments of how Plaintiffs believe the law should be applied. "Plaintiffs' Oral Summary" is another brief in support of their argument raising new arguments and citing statutes not previously cited. GLA was given no time to thoroughly

1 review the documents before the hearing nor was it given time to respond to the arguments raised by  
2 Plaintiffs for the first time.

3 GLA requests leave to respond specifically to Plaintiffs' arguments under Mont. Code Ann. §  
4 35-2-414. In the alternative, GLA objects to Plaintiffs' filing of these documents and requests the Court  
5 strike them and disregard their contents. GLA's response is attached to this Motion should the Court  
6 grant leave to file the response.  
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8 DATED this 12<sup>th</sup> day of June, 2013.

9 BROWN LAW FIRM, P.C.

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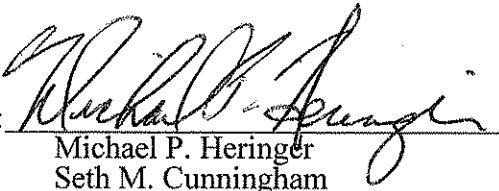
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16 *Landowners Association, Inc.*  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was duly served by U.S. mail,  
postage prepaid, and addressed as follows this 17th day of June, 2013:

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By:   
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