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MONTANA SIXTH JUDICIAL DISTRICT COURT, PARK COUNTY

Daniel K. O'Connell & Valery A. O'Connell )	
& on behalf of themselves as members of )	
Glastonbury Landowners Association. )	
Plaintiff(s), )	
v. )	Cause No. DV-11-114
Glastonbury Landowners Association, Inc. )	
& current GLA Board of Directors )	
Defendant(s) )	

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PLAINTIFFS MOTION FOR ORDERS REESTABLISHING PARTIES TO THE COMPLAINT

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COMES NOW the above named Plaintiffs and Glastonbury Members, and move this Court for an Order Reestablishing parties to this complaint, (DV-11-114) to be Plaintiffs' "Daniel O'Connell" and "Valery O'Connell" and Defendants, "Glastonbury Landowners Association, Inc." and "GLA Board of Directors" through 2013 namely Directors: Richard Bolen, Alyssa Allen, Laura Boise, William Smith, Sheridan Stenburg, Gerald Dubiel, Paul Rantallo, Rich Spallone, Janet Naclerio: excluding Neil Kramer & Claire Parker that quit the GLA Board in 2011 & excluding new GLA Board members since March 2013 that were not a party to this complaint; also that Daniel's position as a GLA Director and others positions as Directors at the time this complaint was filed June 2011 do not change regarding their defense and liabilities under this complaint.

**FACTUAL BRIEF**

Recently ten (10) out of 12 of these GLA Board of Directors were removed by members or else quit the GLA Board since the amended complaint filed last year. There are now 10 new GLA Directors that were not a party to this complaint. However, GLA Defendant pleadings and the GLA Board Directors have recently disputed whether any GLA Directors were ever party to this complaint.

All Complaint pleadings and captions such as the one above read, Defendants in this case are the "Glastonbury Landowners Association Inc." and "GLA Board of Directors." Since the time this case was filed 2011, all Plaintiff pleadings and captions for this case obviously name and make it clear that the "GLA Board of Directors" are defendants in this case. And when the complaint was amended March 2013, these same Directors were on the Board and party to this complaint, namely Richard Bolen, Alyssa Allen, Laura Boise, William Smith, Sheridan Stenburg, Gerald Dubiel, Paul Rantallo, Rich Spallone, Janet Naclerio (excluding Neil Kramer & Claire Parker that quit the Board in 2011).


These complaint pleadings are overwhelming evidence that these specifically named "GLA Board of Directors" are defendants in this case.

Furthermore, Defendants' dispute whether Daniel O'Connell can be called a GLA Director. Defendants admit Daniel was removed as GLA Director in August 2011 after this complaint was filed June 2011. This undisputedly shows that Daniel's position as a GLA Director and others positions as Directors do not change regarding their defense and liabilities under this complaint.

## **CONCLUSION**

For all the above facts, Plaintiffs motion is warranted for Orders reestablishing parties to this complaint, (DV-11-114) to be Plaintiffs' "Daniel O'Connell" and "Valery O'Connell" and Defendants, "Glastonbury Landowners Association, Inc." and "GLA Board of Directors" through 2013 namely Directors: Richard Bolen, Alyssa Allen, Laura Boise, William Smith, Sheridan Stenborg, Gerald Dubiel, Paul Rantallo, Rich Spallone, Janet Naclerio; excluding Neil Kramer & Claire Parker that quit the GLA Board in 2011 and excluding new GLA Board members since March 2013; and that Daniel's position as a GLA Director and others positions as Directors do not change regarding their defense and liabilities under this complaint.

Respectfully submitted this 2nd day of December, 2014,

By:   
Daniel O'Connell

By:   
Valery O'Connell

**Certificate of Service**

A true and correct copy of forgoing document(s) were sent, to the following parties via first class mail and postage paid, this same day to:

Sixth Judicial District Clerk of Court  
414 E. Callender St.  
Livingston, Mt. 59047

Alannah Griffith  
26 E. Mendenhall  
Bozeman, Mt. 59715

Hon. Judge David Cybulski  
573 Shippe Canyon Rd.  
Plentywood, Mt. 59254

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By:   
Valery O'Connell

