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PARK COUNTY CLERK
OF DISTRICT COURT
JUNE LITTLE

2018 FEB 7 PM 2 37
FILED
BY *[Signature]*
DEPUTY

1 HON. BRENDA R. GILBERT
2 District Judge
3 Sixth Judicial District Court
4 414 East Callender Street
5 Livingston, Montana 59047
6 406-222-4130

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

8 KATHLEEN RAKELA and other members of the)
9 Glastonbury Landowners Association,)
10)
11 Plaintiffs,)
12 vs.)
13 BOARD OF DIRECTORS FOR GLASTONBURY)
14 LANDOWNERS ASSOCIATION, INC. (GLA),)
15 DENNIE RILEY, DANILE KEHOE, MARK)
16 SEAVER, RICHARD JOHNSON, CHARLENE)
17 MURPHY, KEVIN NEWBY, LEO KEELER, and)
18 Other Does,)
19)
20 Defendants.)

CAUSE No. DV 17-150

**ORDER GRANTING
DEFENDANTS' MOTION
FOR THE COURT TO
CONSIDER WHETHER THIS
LITIGATION VIOLATES THE
DECLARATION OF VALERY A.
O'CONNELL AS A VEXATIOUS
LITIGANT**

21 On January 2, 2018, Defendants Glastonbury Landowners Association, Inc. (GLA), Dennis
22 Riley, Daniel Kchoe, Mark Seaver, Richard Johnson, Charlene Murphy, Kevin Newby, and Leo
23 Keeler filed a Motion to Consider Whether this Litigation Violates its Declaration of Valery A.
24 O'Connell as a Vexatious Litigant. The Court issued a Briefing Schedule regarding that issue,
25 which was issued January 3, 2018 and was sent to both Plaintiff Kathleen Rakela and Valery
26 O'Connell. The briefing schedule allowed Ms. Rakela and Ms. O'Connell to file any briefs
27 regarding this issue on or before January 19, 2018. Neither Ms. Rakela or Ms. O'Connell filed a
28 brief regarding this issue by January 19, 2018. The Defendants filed a Response on February 5,
2018 requesting that the Court grant their motion.


1 Given the absence of any response by Plaintiff Rakela or Valery O'Connell as allowed by
2 the briefing schedule, the Court must deem all assertions in the Defendants' Motion and Response
3 as well taken. Therefore, with good cause, the Court, having reviewed the Defendants' Motion and
4 Response, and noting no filing by Plaintiff Kathleen Rakela or Valery O'Connell, hereby makes the
5 following Order:
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- 7 1. Defendants' Motion to Consider Whether this Litigation Violates its Declaration of
8 Valery A. O'Connell as a Vexatious Litigant is GRANTED.
- 9 2. This Litigation Violates the Declaration of Valery A. O'Connell as a Vexations Litigant,
10 made in Park County Cause No. DV 2011-114.

11 DATED this 17th day of February, 2018.

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15 BRENDA R. GILBERT, District Judge

16 cc: Jami Rebsom
17 Seth M. Cunningham
18 Valery A. O'Connell

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28  mid 2/17/18 p.p.