

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 07-0011

IN THE MATTER OF CALLING
A RETIRED DISTRICT JUDGE
TO ACTIVE SERVICE

ORDER

JAN 23 2015

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

The Honorable Holly Brown, Judge of the District Court for the Eighteenth Judicial District of the State of Montana, considering herself to be disqualified, has requested the assistance of retired District Judge E. Wayne Phillips to assume jurisdiction of Gallatin County Cause Nos. DV 14-508A, *Peter Rothing v. Gallatin County and its agent County Attorney Lambert*, and DV 14-529A, *Peter Rothing v. The State of Montana, its agents on the Supreme Court, professionally and individually*.

Judge Phillips has retired under the provisions of the Montana Judges' Retirement System and, being subject to call for duty pursuant to § 19-5-103, MCA, has advised that he is agreeable to assisting the Eighteenth Judicial District Court with the above-listed matters.

IT IS HEREBY ORDERED:

1. The Honorable E. Wayne Phillips, retired District Judge, is hereby called to active service in the District Court of the Eighteenth Judicial District of the State of Montana, to assume judicial authority of Gallatin County Cause Nos. DV 14-508A, *Peter Rothing v. Gallatin County and its agent County Attorney Lambert*, and DV 14-529A, *Peter Rothing v. The State of Montana, its agents on the Supreme Court, professionally and individually*, and is hereby authorized to proceed with any and all necessary hearings, opinions and orders, including final resolution of said matters.

2. For all active service, Judge Phillips shall be paid the salary compensation to which he is entitled by § 19-5-103(2)(b), MCA, and actual expenses, if any, shall be reimbursed.

3. A copy of this Order shall be filed with the District Court Clerk of Gallatin County with a request that copies of this Order be sent to counsel of record in Gallatin County Cause Nos. DV 14-508A, *Peter Rothing v. Gallatin County and its agent County Attorney Lambert*, and DV 14-529A, *Peter Rothing v. The State of Montana, its agents on the Supreme Court, professionally and individually*.

A copy of this Order shall also be furnished to the Honorable Holly Brown, to the Honorable E. Wayne Phillips, and to Becky Buska, Office of the Supreme Court Administrator.

No additional motions for substitution will be granted.

This Order is entered by the Chief Justice pursuant to Article VII, Section 6(3) of the 1972 Montana Constitution, and statutes enacted in conformity therewith and in implementation thereof.

DATED this 23rd day of January, 2015.


Chief Justice