

## IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 07-0011

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

FILED  
ORDER  
APR 26 2016

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

The Honorable Jon A. Oldenburg, Judge of the District Court for the Tenth Judicial District of the State of Montana, has requested the assistance of retired District Judge E. Wayne Phillips to assume jurisdiction of Fergus County Case Nos. DV-15-90, *LPH, Inc., dba Northwest, Collectors v. Michael Marquart*, DV-2016-27, *Michael Marquart v. Jon Oldenburg and State of Montana*, DV-2016-28, *Michael Marquart v. Fergus County Attorney's Office, et al.*, DV-2016-39, *Michael Marquart v. Cory Hershberger*, DA 2016-40, and *Michael Marquart v. Adam Boone Hershberger and Rossie Hershberger*.

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 Tenth 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 Tenth Judicial District of the State of Montana, to assume judicial authority of Case Nos. DV-15-90, *LPH, Inc., dba Northwest, Collectors v. Michael Marquart*, DV-2016-27, *Michael Marquart v. Jon Oldenburg and State of Montana*, DV-2016-28, *Michael Marquart v. Fergus County Attorney's Office, et al.*, DV-2016-39, *Michael Marquart v. Cory Hershberger*, DA 2016-40, and *Michael Marquart v. Adam Boone Hershberger and Rossie Hershberger*, and is hereby authorized to proceed with any and all necessary hearings, opinions, and orders, including final resolution of said matters.

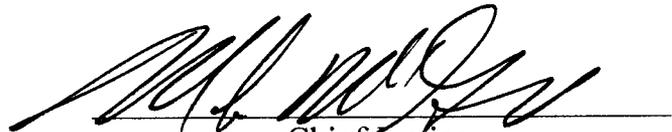
2. For all active service, Judge Phillips shall be paid the salary compensation to which he is entitled by § 19-5-103(2)(b), MCA, and actual expenses, if any, shall be reimbursed.

3. A copy of this Order shall be filed with the District Court Clerk of Fergus County with the request that this Order be sent to all counsel of record in Case Nos. DV-15-90, *LPH, Inc., dba Northwest, Collectors v. Michael Marquart*, DV-2016-27, *Michael Marquart v. Jon Oldenburg and State of Montana*, DV-2016-28, *Michael Marquart v. Fergus County Attorney's Office, et al.*, DV-2016-39, *Michael Marquart v. Cory Hershberger*, DA 2016-40, and *Michael Marquart v. Adam Boone Hershberger and Rossie Hershberger*.

4. A copy of this Order shall also be furnished to the Honorable Jon A. Oldenburg, the Honorable E. Wayne Phillips, to Fergus County Court Administrator Rebecca Greene, and to Becky Buska, Office of the Supreme Court Administrator.

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 25<sup>th</sup> day of April, 2016.

  
\_\_\_\_\_  
Chief Justice