

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 08-0045

CITIZENS FOR RESPONSIBLE DEVELOPMENT,  
an unincorporated association, and  
DAN SLOAN, an individual,

Petitioners and Appellants,

v.

THE BOARD OF COUNTY COMMISSIONERS  
OF SANDERS COUNTY, a body politic and  
a political subdivision of the State of Montana,

Respondent and Appellee,

and

THE LAKES OF HERON MONTANA, LLC,  
a Montana Limited Liability Company,

Respondent-Intervenor and Appellee.

FILED

APR 22 2009

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



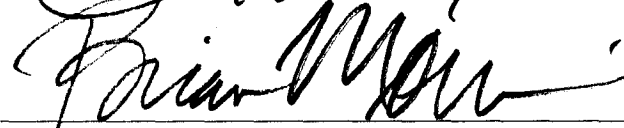


ORDER

Intervenor The Lakes of Heron Montana, LLC, has filed a motion to strike the Notice of Supplemental Authority filed herein by Appellants Citizen for Responsible Development, an unincorporated association, and Dan Sloan, an individual. The motion argues that the Notice offers inappropriate argument, inappropriately provides a copy of the referenced order rather than providing a citation to the authority, and submits a case which is not "significant authority." Upon careful review of the arguments made in the motion and of the rule governing notices of supplemental authority, we conclude that Notice was not inappropriately filed. Therefore,

IT IS HEREBY ORDERED that the motion to strike is DENIED.

The Clerk is directed to provide a copy of this order to all counsel of record.

DATED this 21<sup>st</sup> day of April, 2009.

  
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Justices