

FILED

JUN 23 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA
ORDER

IN THE SUPREME COURT OF THE STATE OF MONTANA

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

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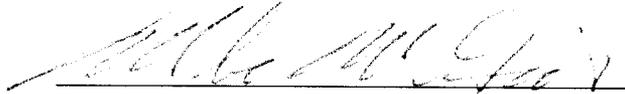
The Honorable Laurie McKinnon, Judge of the District Court of the Ninth Judicial District of the State of Montana, has advised the Court that she requests the assistance of a retired district judge to assume jurisdiction in Toole County Cause No. 12501, entitled *Milan R. Ayers vs. James R. Rubow, and Jane Doe Rubow, Husband and Wife; and Passport Energy, Inc., a Montana corporation.*, in the District Court of the Ninth Judicial District of the State of Montana. The Honorable R. D. McPhillips, having retired under the provisions of the Montana Judges' Retirement System, being subject to a call for duty pursuant to § 19-5-103, MCA, and having advised that he is agreeable to assisting the Ninth Judicial District by assuming jurisdiction in the above-entitled case,

NOW, THEREFORE IT IS ORDERED:

1. The Honorable R. D. McPhillips, retired District Judge, is hereby called to active service in the District Court of the Ninth Judicial District of the State of Montana, in and for the County of Toole, to assume jurisdiction in Cause No. 12501, *Ayers vs. Rubow, et al.*
2. No compensation shall be provided the Honorable. R. D. McPhillips for this service.
3. A certified copy of this order shall be filed with the District Court Clerk of Toole County, and a copy shall be furnished to the Honorable Laurie McKinnon and the Honorable R. D. McPhillips.

This order is entered by the Chief Justice pursuant to Art. VII, Section 6(3), 1972 Mont. Const., and statutes enacted in conformity therewith and in implementation thereof.

DATED this 23 day of June, 2009.

A handwritten signature in cursive script, appearing to read "M. G. S.", is written over a horizontal line.

Chief Justice