

Yellowstone County District Court
Case Register Report
DV-56-2008-0000472-PA
Cynthia Wedge vs. Carl Millard

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Filed: 3/27/2008
Subtype: Partition

Status History

Open 3/27/2008
Closed 3/30/2009
Adjudicated 5/12/2009

Plaintiffs

Pl. no. 1 Wedge, Cynthia

Attorneys

O'Connor, William J. (Primary attorney) Send Notices

Defendants

Def. no. 1 Millard, Carl

Attorneys

Sands, Jack E. (Primary attorney) Send Notices

Judge History

| Date | Judge | Reason for Removal |
|-----------|-------------------|--------------------|
| 3/31/2008 | Watters, Susan P. | Current |
| 3/27/2008 | Gustafson, Ingrid | Substituted |

Register of Actions

| Doc. Seq. | Entered | Filed | Text | Judge |
|-----------|------------|------------|--|-------------------|
| 1.000 | 03/28/2008 | 03/27/2008 | Complaint | Gustafson, Ingrid |
| 2.000 | 03/28/2008 | 03/27/2008 | Summons Issued: R & F -04-11-08 | Gustafson, Ingrid |
| 3.000 | 04/01/2008 | 03/31/2008 | Motion for Substitution of Judge | Watters, Susan P. |
| 3.100 | 07/08/2009 | 03/31/2008 | Affidavit of Cynthia Wedge | Watters, Susan P. |
| 4.000 | 04/01/2008 | 03/31/2008 | Motion for Temporary Order of Protection | Watters, Susan P. |
| 5.000 | 04/01/2008 | 03/31/2008 | Temporary Order of Protection Issued (Hearing 04/16/2008 10:30 AM)R & F 04-11-08 | Watters, Susan P. |
| 6.000 | 04/01/2008 | 04/01/2008 | Notice of Substitution (Gustafson to Watters) | Watters, Susan P. |
| 7.000 | 04/12/2008 | 04/08/2008 | Motion to Dismiss Order of Protection with accompanying Brief | Watters, Susan P. |
| 8.000 | 04/12/2008 | 04/08/2008 | Answer | Watters, Susan P. |
| 9.000 | 07/08/2009 | 04/11/2008 | (--No Document Filed - ROA number not used --) | Watters, Susan P. |
| 10.000 | 07/08/2009 | 04/11/2008 | (--No Document Filed - ROA number not used --) | Watters, Susan P. |
| 11.000 | 04/15/2008 | 04/15/2008 | Memorandum In Support of Objection to Motion to Dismiss | Watters, Susan P. |
| 12.000 | 04/15/2008 | 04/15/2008 | Hearing Set (Scheduling Conference 04/30/2008 01:30 AM) Via Telephone | Watters, Susan P. |
| 13.000 | 04/19/2008 | 04/16/2008 | Minute Entry | Watters, Susan P. |
| 13.100 | 05/16/2008 | 04/16/2008 | Witness & Exhibit List | Watters, Susan P. |
| 14.000 | 04/22/2008 | 04/21/2008 | Order of Protection (Copy to Sheriff 3-19-09) | Watters, Susan P. |
| 15.000 | 04/26/2008 | 04/24/2008 | Notice of Service of Discovery | Watters, Susan P. |
| 16.000 | 04/26/2008 | 04/24/2008 | Notice of Service of Request for Admissions | Watters, Susan P. |

State of Montana
County of Yellowstone } as CERTIFICATE

I hereby certify that this sheet and all attached sheets identified by impression of my Official Seal are each and all true and correct copies of originals filed in my Office in Case No DV08-0472

WITNESS my hand and Official Seal this 3 day of Sept. 2009

Carol Muessig
Clerk of the District Court

By [Signature]
Deputy

Register of Actions

| Doc. Seq. | Entered | Filed | Text | Judge |
|-----------|------------|------------|---|-------------------|
| 17.000 | 05/04/2008 | 05/01/2008 | Hearing Set (Final Pre-Trial Conference 10/22/2008 02:00 PM); NJT: 11-05-08 @9:30 a.m.) | Watters, Susan P. |
| 18.000 | 05/15/2008 | 05/14/2008 | Pltf's Expert Witness Disclosure | Watters, Susan P. |
| 19.000 | 05/20/2008 | 05/19/2008 | Expert Witness Disclosure | Watters, Susan P. |
| 20.000 | 07/29/2008 | 07/24/2008 | Affidavit of Dan Wagner | Watters, Susan P. |
| 21.000 | 07/29/2008 | 07/24/2008 | Affidavit of Cynthia Wedge | Watters, Susan P. |
| 22.000 | 07/29/2008 | 07/24/2008 | Plntf's Motion to Permit Sale of House | Watters, Susan P. |
| 23.000 | 07/29/2008 | 07/28/2008 | Plntf's Motion for Order to Compel Discovery and Memorandum in Support Thereof. | Watters, Susan P. |
| 24.000 | 08/07/2008 | 08/05/2008 | Def's Opposition To Pltf's Motion To Permit Sale of House | Watters, Susan P. |
| 25.000 | 08/11/2008 | 08/11/2008 | Dfd'ts Brief Opposing Pltf's Motion to Compel Discovery | Watters, Susan P. |
| 26.000 | 08/15/2008 | 08/14/2008 | Pltf's Request for Order To Set Hearing on Pltf's Motion to Compel Discovery and Pltf's Motion to Permit Sale of House | Watters, Susan P. |
| 27.000 | 08/15/2008 | 08/14/2008 | Order Setting Hearing on Pltf's Motion to Compel Discovery and Pltf's Motion to Permit Sale of House (08/26/2008 02:30 PM) | Watters, Susan P. |
| 28.000 | 08/21/2008 | 08/20/2008 | Mediator's Report (Not Settled) | Watters, Susan P. |
| 29.000 | 08/27/2008 | 08/26/2008 | Minute Entry | Watters, Susan P. |
| 30.000 | 08/27/2008 | 08/26/2008 | Witness / Exhibit List | Watters, Susan P. |
| 31.000 | 08/27/2008 | 08/26/2008 | Exhibits (In Envelope) | Watters, Susan P. |
| 32.000 | 09/03/2008 | 09/02/2008 | Order Denying Motion to Permit Sale of House, Granting Motion to Compel, and Re: Attorney Fees | Watters, Susan P. |
| 32.100 | 07/08/2009 | 09/09/2008 | Affidavit (William Paul) | Watters, Susan P. |
| 33.000 | 09/11/2008 | 09/09/2008 | Motion to Extend Time for Discovery | Watters, Susan P. |
| 34.000 | 09/11/2008 | 09/10/2008 | Motion for Order to Compel Discovery and Brief in Support | Watters, Susan P. |
| 35.000 | 09/15/2008 | 09/11/2008 | Notice of (Hearing (09/18/2008 09:00 AM) Plt's Motion to Compel Discovery ****SEE FILE # 2**** | Watters, Susan P. |
| 36.000 | 09/18/2008 | 09/17/2008 | Order Extending Time for Discovery | Watters, Susan P. |
| 37.000 | 10/31/2008 | 09/18/2008 | Minute Entry | Watters, Susan P. |
| 38.000 | 09/24/2008 | 09/23/2008 | Def's Motion to Extend time for Discovery | Watters, Susan P. |
| 39.000 | 09/27/2008 | 09/24/2008 | Pltf's Response to Def's Motion to Extend Time for Discovery and Renewed Motion to Compel Discovery | Watters, Susan P. |
| 40.000 | 10/06/2008 | 09/29/2008 | Order Extending Time for Discovery | Watters, Susan P. |
| 41.000 | 10/17/2008 | 10/17/2008 | Plntf' Motion to Vacate Trial Schedule and Convene Scheduling Conference and Renewed Motion to Permit The Sale of the House | Watters, Susan P. |

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|-----------|------------|------------|--|-------------------|
| 42.000 | 10/28/2008 | 10/24/2008 | Order Denying Pltff's Motion to Vacate Trial Schedule and Convene Scheduling Conference and Renewed Motion to Permit the Sale of the House | Watters, Susan P. |
| 43.000 | 11/03/2008 | 10/31/2008 | Plntf' Motion to Extend Deadline for Plntf' Proposed Findings of Facts | Watters, Susan P. |
| 44.000 | 11/03/2008 | 10/31/2008 | Order to Extend Deadline for Plntf's Proposed Findings of Facts | Watters, Susan P. |
| 45.000 | 11/07/2008 | 11/03/2008 | Def' Proposed Findings of Fact and Conclusions of Law | Watters, Susan P. |
| 46.000 | 11/07/2008 | 11/03/2008 | Pltf' Proposed Findings of Fact and Conclusions of Law | Watters, Susan P. |
| 47.000 | 11/05/2008 | 11/05/2008 | Minute Entry | Watters, Susan P. |
| 48.000 | 11/05/2008 | 11/05/2008 | Witness & Exhibit List | Watters, Susan P. |
| 49.000 | 11/05/2008 | 11/05/2008 | Exhibit's (Sealed Exhibits by the Court) (White Box) | Watters, Susan P. |
| 50.000 | 11/07/2008 | 11/05/2008 | Pltf' Praeipce to the Court (Updated Proposed Findings of Fact and Conclusions of Law | Watters, Susan P. |
| 51.000 | 11/07/2008 | 11/05/2008 | Pltf' Updated Findings of Fact and Conclusions of Law | Watters, Susan P. |
| 52.000 | 11/17/2008 | 11/14/2008 | Def's Proposed Findings of Fact & Conclusions of Law Prepared Post Trial | Watters, Susan P. |
| 53.000 | 11/20/2008 | 11/14/2008 | Pltf's Proposed Findings of Fact and Conclusion of Law | Watters, Susan P. |
| 54.000 | 01/29/2009 | 01/28/2009 | Court's Findings of Fact and Conclusions of Law | Watters, Susan P. |
| 55.000 | 02/09/2009 | 02/06/2009 | Affidavit of Attorney's Fees | Watters, Susan P. |
| 56.000 | 02/18/2009 | 02/17/2009 | Def's Objection to Affidavit Concerning Attorney Fees | Watters, Susan P. |
| 57.000 | 02/18/2009 | 02/17/2009 | Order Setting Hearing (03/12/2009 09:00 AM) Pltf's Request for Attorney Fees | Watters, Susan P. |
| 58.000 | 02/24/2009 | 02/20/2009 | Defendant's Motion for an Order Allowing Him to Inventory and Inspect the Personal Property in His House and to Obtain Some of His Personal Effects | Watters, Susan P. |
| 59.000 | 02/27/2009 | 02/24/2009 | Motion to Continue Hearing | Watters, Susan P. |
| 60.000 | 02/27/2009 | 02/27/2009 | Hearing Set (Hearing 03/18/2009 01:30 PM) Plt's Motion on Affidavit of Attorney's Fees | Watters, Susan P. |
| 61.000 | 03/04/2009 | 02/27/2009 | Pltf's Response to Def's Motion for an Order Allowing Him to Inventory and Inspect the Personal Property in His House and to Obtain Some of His Personal Effects | Watters, Susan P. |
| 62.000 | 03/18/2009 | 03/18/2009 | Minute Entry (Court Reporter David Hix) | Watters, Susan P. |
| 63.000 | 03/18/2009 | 03/18/2009 | Witness & Exhibit List (unable to put in Court Sealed Box from 11-05-08 Hearing ROA #49) Placed them in Exhibit Envelope #72 (6-02-09 Hearing) | Watters, Susan P. |
| 64.000 | 03/27/2009 | 03/27/2009 | Order for Modification of Order of Protection | Watters, Susan P. |
| 65.000 | 03/27/2009 | 03/27/2009 | Order for Attorney' Fee' | Watters, Susan P. |

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|-----------|------------|------------|---|-------------------|
| 66.000 | 04/02/2009 | 04/02/2009 | Judgment Fld & Dktd | Watters, Susan P. |
| 67.000 | 04/24/2009 | 04/16/2009 | Writ of Execution Issued (Y'Stone) R & F (05/05/09) Service Shown (04/21/09) | Watters, Susan P. |
| 68.000 | 05/12/2009 | 05/08/2009 | Plntf's Motion Pursuant to Rule 70, to Convey Title to Plntf | Watters, Susan P. |
| 69.000 | 05/12/2009 | 05/11/2009 | Order Setting Hearing Order to Show Cause (06/02/2009 @9:00 AM) Motion to Convey Title to Plaintiff | Watters, Susan P. |
| 70.000 | 06/02/2009 | 06/02/2009 | Minute Entry | Watters, Susan P. |
| 71.000 | 06/02/2009 | 06/02/2009 | Witness & Exhibit List | Watters, Susan P. |
| 72.000 | 06/02/2009 | 06/02/2009 | Exhibit Envelope (Manila Envelope Large) | Watters, Susan P. |
| 73.000 | 06/03/2009 | 06/02/2009 | Order for Clerk to Execute Quit Claim Deed and re: Pltf's Costs and Attorney's Fees | Watters, Susan P. |
| 74.000 | 06/03/2009 | 06/02/2009 | Def's Notice of Appeal | Watters, Susan P. |
| 75.000 | 06/10/2009 | 06/10/2009 | Affidavit of Attorney's Fees | Watters, Susan P. |
| 76.000 | 06/10/2009 | 06/10/2009 | Plntf's Motion Pursuant to Rule 70, Montana Rules of Civil Procedure to Convey Title to Plntf | Watters, Susan P. |
| 77.000 | 06/24/2009 | 06/24/2009 | Def's Response to Motion Concerning Conveying Title to Bobcat | Watters, Susan P. |
| 78.000 | 06/24/2009 | 06/24/2009 | Def's Respose to Motion Concerning Attorney Fees for Rule 70 Motion | Watters, Susan P. |
| 79.000 | 06/25/2009 | 06/25/2009 | Plntf's Reply to Def's Response to Motion Concerning Conveying Title to Bobcat | Watters, Susan P. |
| 80.000 | 06/26/2009 | 06/25/2009 | Order To Transfer Title | Watters, Susan P. |
| 81.000 | 06/30/2009 | 06/30/2009 | Order Nunc Pro Tunc Granting Plaintiff's Rule 70 Motion | Watters, Susan P. |
| 82.000 | 07/09/2009 | 07/09/2009 | Request for Extension of Time to Transmit Record | Watters, Susan P. |
| 83.000 | 07/09/2009 | 07/09/2009 | Order Granting Extension (9/2/2009) | Watters, Susan P. |
| 84.000 | 07/14/2009 | 07/10/2009 | Plaintiff's Affidavit of Attorney's Fees | Watters, Susan P. |
| 85.000 | 07/24/2009 | 07/23/2009 | Def's Objection to Attorney's Fees | Watters, Susan P. |
| 86.000 | 07/28/2009 | 07/27/2009 | Order Setting Hearing (08/04/2009 @1:30 PM) Attorney Fees***SEE FILE #3***** | Watters, Susan P. |
| 87.000 | 08/04/2009 | 08/04/2009 | Minute Entry | Watters, Susan P. |
| 88.000 | 08/04/2009 | 08/04/2009 | Witness & Exhibit List | Watters, Susan P. |
| 89.000 | 08/04/2009 | 08/04/2009 | Exhibit Envelope (Manilla, Large) | Watters, Susan P. |
| 90.000 | 08/26/2009 | 08/26/2009 | Order Granting Request for Attorney Fees Fld and Dktd | Watters, Susan P. |
| 91.000 | 09/01/2009 | 08/31/2009 | Plntf's Notice of Entry of Order Granting Request for Attorney Fees | Watters, Susan P. |