

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 07-0011

FILED
Case Number: PR 07-0011

AUG 27 2018

Ed Smith
CLERK OF THE SUPREME COURT
ORDER OF MONTANAIN THE MATTER OF CALLING A RETIRED
DISTRICT JUDGE TO ACTIVE SERVICE

The Honorable Randal I. Spaulding, Judge of the District Court for the Fourteenth Judicial District of the State of Montana, has requested the assistance of retired District Judge E. Wayne Phillips to assume jurisdiction of Meagher County Cause No. DV-15-02, *Witt, et al. v. Tousley, et al.*, and Musselshell County Cause No. DV-16-48, *Oest v. Allen, et al.*

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(a) and (b), MCA, has advised that he is agreeable to assisting the Fourteenth 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 Fourteenth Judicial District of the State of Montana, to assume judicial authority of Meagher County Cause No. DV-15-02, *Witt, et al. v. Tousley, et al.*, and Musselshell County Cause No. DV-16-48, *Oest v. Allen, et al.*, 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.

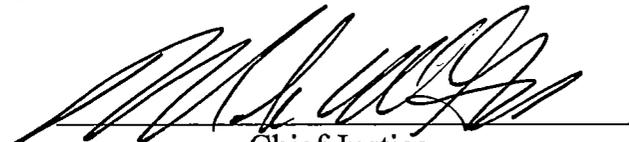
3. A copy of this Order shall be filed with the Clerks of Court in Meagher County and Musselshell County, with the request that this Order be sent to all counsel of record

in Meagher County Cause No. DV-15-02, *Witt, et al. v. Tousley, et al.*, and Musselshell County Cause No. DV-16-48, *Oest v. Allen, et al.*

4. A copy of this Order shall also be furnished to the Honorable Randal I. Spaulding, the Honorable E. Wayne Phillips, and to Cathy Pennie, 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 7th day of August, 2018.



Chief Justice