

FILED

January 12 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. PR 07-0011

FILED

IN THE MATTER OF CALLING A RETIRED

DISTRICT JUDGE TO ACTIVE SERVICE

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) ORDER JAN 12 2010
)

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

The Honorable Russell C. Fagg, Judge of the District Court of the Thirteenth Judicial District of the State of Montana, has advised the Court that he requests the assistance of retired District Judge and Justice John Warner to conduct mediation proceedings in Yellowstone County Cause Nos. DN 08-27, -28, -29, and -30. The Honorable Judge Warner, having retired under the provisions of the Montana Judges' Retirement System, being subject to call for duty pursuant to § 19-5-103, MCA, and having advised that he is agreeable to assisting the District Court by conducting the mediation in the above-entitled causes,

IT IS HEREBY ORDERED:

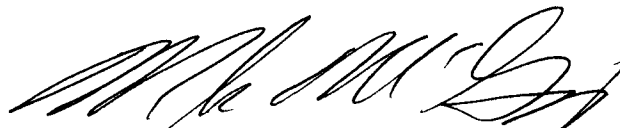
1. The Honorable John Warner, retired District Judge and Justice, is hereby called to active service in the District Court of the Thirteenth Judicial District Court of the State of Montana, in and for Yellowstone County, to conduct mediation in that court's Cause Nos. DN 08-27, -28, -29, and -30.

2. The Honorable John Warner shall be paid the salary compensation to which he is entitled by § 19-5-103(2)(b), MCA.

3. A certified copy of this Order shall be filed with the District Court Clerk of Yellowstone County, and copies shall be furnished to the Honorable Russell C. Fagg and to the Honorable John Warner.

This Order is entered by the Chief Justice pursuant to Article VII, Section 6(3) of the Montana Constitution, and statutes enacted in conformity and in implementation with Article VII, Section 6(3).

DATED this 12th day of January, 2010.



Chief Justice