

## IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 07-0011

FILED

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

O R D E R

NOV 03 2010

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

The Honorable Ed McLean, Judge of the District Court of the Fourth Judicial District of the State of Montana, has advised the Court that he requires the assistance of a retired district judge to assume jurisdiction in the District Court of the Fourth Judicial District of the State of Montana, in Missoula and Mineral Counties.

In Missoula County: Judge McLean requires the assistance of a retired district judge to assume jurisdiction in Cause No. 07-1212-DS, entitled *Patterson Enterprises, Inc. v. Archie Johnson*; as well as Law and Motion Day duties starting Wednesday, December 8, 2010 through Wednesday, January 26, 2011.

In Mineral County: Judge McLean requires the assistance of a retired district judge to assume jurisdiction in Law and Motion Day duties on Monday, January 10, 2011.

The Honorable John Warner, having retired under the provisions of the Montana Judges' Retirement System, being subject to a call for duty pursuant to Chapter 48, 2001 Session Laws of Montana, effective March 16, 2001, and having advised that he is agreeable to assisting the Fourth Judicial District by assuming jurisdiction in the above Missoula County case and Missoula and Mineral Counties Law and Motion Days,

NOW, THEREFORE IT IS ORDERED:

1. The Honorable John Warner, retired District Judge, is hereby called to active service in the District Court of the Fourth Judicial District of the State of Montana, to assume

jurisdiction in the above-listed Missoula County case and Missoula County and Mineral County Law and Motion Days.

2. For all active service, the Honorable John Warner shall be compensated at the rate provided in Chapter 48, 2001 Session Laws of Montana, in addition to his expenses as provided by law.

3. A certified copy of this order shall be filed with: the District Court Clerk of Missoula County with a request that the Missoula County Clerk of Court provide copies of this order to counsel of record in Missoula County cause No. 07-1212-DS; and the District Court Clerk of Mineral County. A copy of this order shall be furnished to the Honorable Ed McLean, the Honorable John Warner and to Becky Buska and Shelly Grandy in the Office of the Court Administrator.

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 28 day of November, 2010.

  
Chief Justice