



FILED

05/15/2024

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: PR 07-0011

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 07-0011

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

ORDER

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MAY 15 2024

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

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Honorable Luke Berger, Judge of the District Court for the Fifth Judicial District of the State of Montana, has requested the assistance of retired District Judge Gregory R. Todd to assume jurisdiction of Madison County Cause No. DP-29-2019-28, *In re the Estate of Barry Rice*.

Judge Todd 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 Fifth Judicial District Court with the above-listed matter.

IT IS HEREBY ORDERED:

1. Honorable Gregory R. Todd, retired District Judge, is hereby called to active service in the District Court of the Fifth Judicial District of the State of Montana, to assume judicial authority of Madison County Cause No. DP-29-2019-28, *In re the Estate of Barry Rice*, and is hereby authorized to proceed with any and all necessary hearings, opinions, and orders, including final resolution of said matter.

2. For all active service, Judge Todd 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 Clerk of Court of the Fifth Judicial District, Madison County, with the request that this Order be sent to all counsel of record in the above-listed matter.

4. A copy of this Order shall also be furnished to Honorable Luke Berger, Honorable Gregory R. Todd, and to Cathy Pennie, Office of the Supreme Court Administrator.

The Chief Justice enters this Order pursuant to Article VII, Section 6(3) of the 1972 Montana Constitution, and statutes enacted in conformity therewith and in implementation thereof.

DATED this 15 day of May, 2024.

  
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Chief Justice