

**IN THE SUPREME COURT OF THE STATE OF MONTANA**  
**Supreme Court No. DA 23-0728**

GBSB HOLDING, LLC,

Plaintiff and Appellant,

v.

FLATHEAD COUNTY BOARD OF COUNTY COMMISSIONERS AND  
FLATHEAD COUNTY, MONTANA; WHITEFISH VILLAGE, LLC; WILLIAM  
F. OSWALD AND JULIANA M. OSWALD, Co-Trustees of the Oswald Family  
Trust dated May 23, 2016; SEAN PATRICK JAMES AND KRISTIN PATRICIA  
BELL; WHITEFISH HILLS VILLAGE HOMEOWNERS ASSOCIATION, INC.;  
and JOHN DOES 1 and 2,

Defendants and Appellees.

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On Appeal from The Montana Eleventh Judicial District Court  
Consolidated Cause Nos. DV-20-995(A) and DV-21-206(D)  
Filed in DV-20-995(A)  
The Honorable Amy Eddy

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**APPELLEES WILLIAM F. OSWALD AND JULIANA M. OSWALD, Co-  
Trustees of the Oswald Family Trust Dated May 23, 2016, SEAN PATRICK  
JAMES, KRISTIN PATRICIA BELL, and SCOTT C. MARTIN AND RIKKI  
ANN MARTIN, Trustees of the Scott and Rikki Martin Family Trust  
Dated July 15, 1998, OBJECTION TO APPELLANT'S PETITION FOR  
REHEARING**

Appearances:

Richard DeJana  
Richard DeJana and Associates, PLLC  
P.O. Box 1757  
Kalispell, MT 59903-1757  
Telephone: (406)752-4120  
dejanalaw@gmail.com  
*Attorneys for Appellant GBSB Holding, LLC*

Colleen M. Dowdall  
Dowdall Law  
4900 Lower Miller Creek RD  
Missoula, MT 59803  
Telephone: (406)493-1817  
colleen@dowdall.law.com  
*Attorneys for Appellee Whitefish Hills Village Homeowners Association, Inc.*

Susan B. Swimley  
1807 W. Dickerson, Ste. B  
Bozeman, MT 59715  
Telephone: (406)586-5544  
swimley@swimleylaw.com

Donald R. Murray  
Hash, O'Brian, Biby & Murray  
P.O. Box 1178  
Kalispell, MT 59903-1178  
Telephone: (406)755-6919  
dmurray@hashlaw.com  
*Attorneys for Appellee Whitefish Village, LLC*

Tara DePuy  
P.O. Box 222  
Livingston, MT 59047  
Telephone: (406)223-1803  
attorney@riverworks.net  
*Attorneys for Appellees Flathead County Board of County Commissioners and Flathead County, Montana*

Dana L. Hupp  
Chris A. Johnson  
WORDEN THANE P.C.  
321 W. Broadway St., Ste. 300  
Missoula, MT 59802  
(406) 721-3400  
dhupp@wordenthane.com  
cjohnson@wordenthane.com  
*Attorneys for Appellees William F. Oswald and Juliana M. Oswald, Co-Trustees of the Oswald Family Trust dated May 23, 2016, Sean Patrick James, Kristin Patricia Bell, and Scott*

*C. Martin and Rikki Ann Martin,  
Trustees of the Scott and Rikki Martin  
Family Trust dated July 15, 1998*

Appellees William F. Oswald and Juliana M. Oswald, Co-Trustees of the Oswald Family Trust dated May 23, 2016, Sean Patrick James, Kristin Patricia Bell, and Scott C. Martin and Rikki Ann Martin, Trustees of the Scott and Rikki Martin Family Trust dated July 15, 1998, hereby adopt and incorporate herein the Objections filed by Appellee Whitefish Village, LLC to Appellant's Petition for Rehearing.

Dated this 3rd day of March 2025.

/s/Dana L. Hupp  
Dana L. Hupp  
WORDEN THANE P.C.  
321 W. Broadway St., Ste. 300  
Missoula, MT 59802  
*Attorneys for Appellees William F.  
Oswald and Juliana M. Oswald, Co-  
Trustees of the Oswald Family Trust  
dated May 23, 2016, Sean Patrick James,  
Kristin Patricia Bell, and Scott C. Martin  
and Rikki Ann Martin, Trustees of the  
Scott and Rikki Martin Family Trust  
dated July 15, 1998*

## CERTIFICATE OF COMPLIANCE

Pursuant to Rule 20(4)(c) of the Montana Rules of Appellate Procedure, I certify that this Objection complies with Rule 20(3). It is printed with a proportionately spaced Times New Roman text typeface of 14 points; is double spaced; and the word count is 70 words, excluding the certificate of service and certificate of compliance.

Dated this 3rd day of March 2025.

/s/Dana L. Hupp

Dana L. Hupp

WORDEN THANE P.C.

321 W. Broadway St., Ste. 300

Missoula, MT 59802

*Attorneys for Appellees William F. Oswald and Juliana M. Oswald, Co-Trustees of the Oswald Family Trust dated May 23, 2016, Sean Patrick James, Kristin Patricia Bell, and Scott C. Martin and Rikki Ann Martin, Trustees of the Scott and Rikki Martin Family Trust dated July 15, 1998*

## CERTIFICATE OF SERVICE

I certify that on March 3rd, 2025, I served a copy of the preceding document by U.S. mail and email on the following:

Richard DeJana  
Richard DeJana and Associates, PLLC  
P.O. Box 1757  
Kalispell, MT 59903-1757  
Telephone: (406)752-4120  
dejanalaw@gmail.com  
*Attorneys for Appellant GBSB Holding, LLC*

Susan Brooks Swimley  
1807 W. Dickerson, Ste. B  
Bozeman, MT 59715  
Telephone: (406)586-5544  
swimley@swimleylaw.com

Tara DePuy  
P.O. Box 222  
Livingston, MT 59047  
Telephone: (406)223-1803  
attorney@riverworks.net  
*Attorneys for Flathead County and its Commissioners*

Donald R. Murray  
Hash, O'Brian, Biby & Murray  
P.O. Box 1178  
Kalispell, MT 59903-1178  
Telephone: (406)755-6919  
dmurray@hashlaw.com  
*Attorneys for Whitefish Village, LLC*

Colleen M. Dowdall  
Dowdall Law  
4900 Lower Miller Creek RD  
Missoula, MT 59803  
Telephone: (406)493-1817  
colleen@dowdall.law.com

*Attorneys for Whitefish Village HOA*

/s/Dana L. Hupp  
Dana L. Hupp

## **CERTIFICATE OF SERVICE**

I, Dana Lynn Hupp, hereby certify that I have served true and accurate copies of the foregoing Response/Objection - Objection to Petition for Rehearing to the following on 03-03-2025:

Susan Brooks Swimley (Attorney)  
1807 W. Dickerson, Suite B  
Bozeman MT 59715  
Representing: Flathead County, Flathead County Board of County Commissioners  
Service Method: eService

Tara DePuy (Attorney)  
PO Box 222  
Livingston MT 59047  
Representing: Flathead County, Flathead County Board of County Commissioners  
Service Method: eService

Tara Renee Fugina (Govt Attorney)  
820 South Main Street  
Kalispell MT 59901  
Representing: Flathead County, Flathead County Board of County Commissioners  
Service Method: eService

Richard P. DeJana (Attorney)  
220 South Complex Drive  
P.O. Box 1757  
Kalispell MT 59903  
Representing: GBSB Holding, LLC  
Service Method: eService

Donald R. Murray (Attorney)  
136 First Avenue W  
kalispell MT 59901  
Representing: Whitefish Village, LLC  
Service Method: eService

Colleen M. Dowdall (Attorney)  
4900 Lower Miller Creek Road  
Missoula MT 59803  
Representing: Whitefish Hills Village Homeowners Association, Inc.  
Service Method: eService

Chris A. Johnson (Attorney)

Worden Thane PC

321 West Broadway, Ste. 300

Missoula MT 59802

Representing: Sean Patrick Bell, Rikki Ann Martin, Scott C. Martin, Julisns M. Oswald, William L. Oswald

Service Method: eService

Electronically signed by Lane E. Hanson on behalf of Dana Lynn Hupp

Dated: 03-03-2025