

**U.S. District Court
District of Montana (Helena)
CIVIL DOCKET FOR CASE #: 6:06-cv-00035-DWM**

Montana Association Of Criminal Defense Lawyers et al v. State of Montana et al
Assigned to: Judge Donald W. Molloy
Case in other court: 9th Circuit Court of Appeals, 06-35663
Cause: 42:1983 Civil Rights Act

Date Filed: 08/04/2006
Date Terminated: 08/07/2006
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

**Montana Association Of Criminal
Defense Lawyers**

represented by **Ronald F. Waterman**
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LEAD ATTORNEY
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Plaintiff

**American Civil Liberties Union Of
Montana**

represented by **Ronald F. Waterman**
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Plaintiff

Montana Association Of Churches

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Plaintiff

Montana Catholic Conference

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Plaintiff

Gordon Bennett

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Plaintiff

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Senator Brent Cromley

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Representative Eve Mallo

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V.

Defendant

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Defendant

Department of Corrections

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Pamela P. Collins
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Defendant

represented by

Mike Ferriter
Director

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Warden Mike Mahoney

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Mike McGrath
Attorney General

Defendant

A-Z Does
1-10

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Date Filed	#	Docket Text
08/04/2006	<u>1</u>	COMPLAINT <i>against all defendants</i> against all plaintiffs (Filing fee \$ 350 receipt number 35724.), filed by American Civil Liberties Union Of Montana.(Waterman, Ronald) (Entered: 08/04/2006)
08/04/2006	<u>2</u>	MOTION for Preliminary Injunction by American Civil Liberties Union Of Montana. (Waterman, Ronald) (Entered: 08/04/2006)
08/04/2006	<u>3</u>	Summons Issued as to State of Montana, Mike McGrath. Orig returned to Plaintiffs' Counsel. (Civil Cover Sheet Attached to this entry) (GAR,) (Entered: 08/04/2006)

08/04/2006	<u>4</u>	Order Setting Hearing: Hearing set for 8/7/2006, at 1:00 PM before Judge Donald W. Molloy in the Russell Smith Courthouse, Missoula, Montana. FURTHER ORDERED: Plaintiffs shall immediately serve the Defendants. The parties shall immediately, by CM/ECF, file briefs and affidavits so that they are available for consideration by the Court before the hearing. Signed by Judge Donald W. Molloy on 8/4/2006. (ASG,) (Entered: 08/04/2006)
08/04/2006	<u>5</u>	APPENDIX to complaint by American Civil Liberties Union Of Montana. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u>)(Waterman, Ronald) (Entered: 08/04/2006)
08/07/2006		Notice of Correction: re 6 Amended Complaint,. Amended Complaint to be refiled correcting the parties. (GAR,) (Entered: 08/07/2006)
08/07/2006	<u>7</u>	AMENDED COMPLAINT against all defendants, filed by Gordon Bennett, John Sheehy, Brent Cromley, Steve Gallus, Dan Harrington, Don Ryan, Dan Weinberg, Norma Bixby, Paul Clark, Gail Gutsche, Montana Association Of Criminal Defense Lawyers, Joey Jayne, Jeanne Windham, Marietta Jaegar Lane, Eve Mallo, American Civil Liberties Union Of Montana, Montana Association Of Churches, Montana Catholic Conference.(Waterman, Ronald) (Entered: 08/07/2006)
08/07/2006	<u>8</u>	MOTION to Dismiss by State of Montana, Department of Corrections, Mike Ferriter, Mike Mahoney, Attorney General, Mike McGrath & Does 1-10 (GAR,) (Entered: 08/07/2006)
08/07/2006	<u>9</u>	Brief in Support re <u>8</u> MOTION to Dismiss filed by State of Montana, Department of Corrections, Mike Ferriter, Mike Mahoney, Mike McGrath, Does. (Attachments: # <u>1</u> Exhibit A & B# <u>2</u> Affidavit of Cheryl Caughlin Bolton)(GAR,) (Entered: 08/07/2006)
08/07/2006	<u>10</u>	Minute Entry for proceedings held before Judge Donald W. Molloy : Ron Waterman for plaintiff; Pamela Collins for dft; parties argue; oral ruling from bench: case to be dismissed for lack of standing; Judge advises pla of right to file oral appeal; pla to advise court; written order to follow Evidentiary Hearing held on 8/7/2006; . (Court Reporter DBH.) (MCN,) Modified on 8/7/2006 (MCN,). Modified on 8/7/2006 (MCN,). Modified on 8/7/2006 (MCN,). (Entered: 08/07/2006)
08/07/2006		Remark Docket Text of Minute Entry of 8/7/06 mailed to counsel, Collins, McGrath and Tweeten (GAR,) (Entered: 08/07/2006)
08/07/2006	<u>11</u>	NOTICE OF APPEAL by Montana Association Of Criminal Defense Lawyers. from oral order dismissing case for lack of standing. Filing fee \$ 455 due. (BAW,) Modified on 8/7/2006 (BAW,). (Entered: 08/07/2006)
08/07/2006	<u>12</u>	ORDER DISMISSING CASE. Signed by Judge Donald W. Molloy on 8/7/2006. (MMH,) (Entered: 08/07/2006)
08/07/2006		Remark Court's Order #12 faxed to Defense Counsel. (GAR,) (Entered: 08/07/2006)
08/07/2006	<u>13</u>	AMENDED NOTICE OF APPEAL as to <u>12</u> Order Dismissing Case by Montana Association Of Criminal Defense Lawyers. Filing fee \$ 455 DUE. (APP,) (Entered: 08/07/2006)
08/07/2006	<u>14</u>	SECOND AMENDED NOTICE OF APPEAL as to <u>12</u> Order Dismissing Case by Montana Association Of Criminal Defense Lawyers. Filing fee \$ 455 due. Clerical error, caption correction. (MCN,) (Entered: 08/07/2006)
08/08/2006	<u>15</u>	Remark: Lodged Motion of David Dawson (SLN) (Entered: 08/08/2006)
08/08/2006		Remark #15, Lodged Motion of David Dawson faxed to 9th Circuit Court of Appeals, Civil Docketing Unit and Death Penalty Clerk (GAR,) (Entered: 08/08/2006)
08/08/2006	<u>16</u>	TRANSCRIPT of Proceedings held on 8/7/06 before Judge Donald W. Molloy. Court Reporter: D. Hodges. Transcript kept in Helena Clerk's Office (BAF,) (Entered: 08/09/2006)
08/10/2006	<u>17</u>	MANDATE of USCA as to <u>14</u> Notice of Appeal filed by Montana Association Of Criminal Defense Lawyers, Appellants' motion to dismiss is granted. Appeal is dismissed. (GAR,) (Entered: 08/10/2006)

08/14/2006		USCA Case Number 06-35663 for <u>11</u> Notice of Appeal filed by Montana Association Of Criminal Defense Lawyers,. (GAR,) (Entered: 08/14/2006)
08/24/2009		ARCHIVE CASE INFORMATION FROM FRC DENVER, CO, 1 Transcript, 16 of 17 Box Number, 021-09-4507 FRC Accession Number (HEG,) (Entered: 09/09/2009)