

Filed: 6/25/2021
Subtype: Declaratory Judgment

Status History

Open 6/25/2021
Closed 9/1/2021

Plaintiffs

Pl. no. 1 Winter, Thomas

Attorneys

Phillips, E. Lars (Primary attorney) Send Notices

Pl. no. 2 Bessette, Barbara

Attorneys

Phillips, E. Lars (Primary attorney) Send Notices

Defendants

Def. no. 1 State of Montana

Attorneys

Knudsen, Austin M. (Primary attorney) Send Notices
Dewhirst, David M.S. Send Notices
Segrest, J. Stuart (No longer on case) Do Not Send Notices
Brown, Aislinn W. Send Notices
Smithgall, Kathleen L. Send Notices

Judge History

Date	Judge	Reason for Removal
6/25/2021	Menahan, Mike	Recused
6/30/2021	McMahon, Michael F	Current

Register of Actions

Doc. Seq.	Entered	Filed	Text	Judge
1.000	06/25/2021	06/25/2021	(email) Complaint for Declaratory and Injunctive Relief	Menahan, Mike
2.000	06/25/2021	06/25/2021	(email) Rule 5.1 Notice of Constitutional Question - Plaintiffs	Menahan, Mike
3.000	06/29/2021	06/29/2021	(email) (copy) Summons - The State of Montana, By and Through Greg Gianforts, in His Official Capacity of Governor of Montana	Menahan, Mike
4.000	06/29/2021	06/28/2021	Rule 5.1 Notice of Constitutional Question	Menahan, Mike
5.000	06/30/2021	06/29/2021	Assumption - Judge Abbott DECLINES Jurisdiction	Menahan, Mike
6.000	06/30/2021	06/29/2021	Assumption - Judge Seeley DECLINES Jurisdiction	Menahan, Mike
7.000	06/30/2021	06/29/2021	Assumption - Judge McMahon Assumes Jurisdiction	McMahon, Michael F
8.000	06/30/2021	06/29/2021	Complaint and Declaratory and Injunctive Relief	McMahon, Michael F
9.000	06/30/2021	06/30/2021	(email) Plaintiffs' Ex Parte Motion for Temporary Restraining Order and Motion to Show Cause	McMahon, Michael F

Lewis & Clark County District Court
Case Register Report
DV-25-2021-0000699-DK
Thomas Winter, et al. vs. State of Montana

Register of Actions

Doc. Seq.	Entered	Filed	Text	Judge
10.000	06/30/2021	06/30/2021	(email) Brief in Support of Ex Parte Motion for Temporary Restraining Order and Motion to Show Cause - Plaintiffs	McMahon, Michael F
11.000	06/30/2021	06/30/2021	(email) Declaration of E. Lars Phillips	McMahon, Michael F
12.000	07/01/2021	06/30/2021	(email) Response to Ex Parte Motion for Temporary Restraining Order	McMahon, Michael F
13.000	07/01/2021	07/01/2021	(email) Plaintiffs' Reply in Support of Motion for Temporary Restraining Order	McMahon, Michael F
14.000	07/02/2021	07/02/2021	(email) Notice of Submittal - Petitioner	McMahon, Michael F
15.000	07/06/2021	07/02/2021	Plaintiff's Ex Parte Motion for Temporary Restraining Order and Motion to Show Cause	McMahon, Michael F
16.000	07/06/2021	07/02/2021	Brief in Support of Ex Parte Motion for Temporary Restraining Order and Motion to Show Cause - Plaintiffs	McMahon, Michael F
17.000	07/06/2021	07/02/2021	Declaration of E. Lars Phillips - Plaintiffs	McMahon, Michael F
18.000	07/06/2021	07/02/2021	Order Denying Plaintiff's Application for Temporary Restraining Order and Setting Show Cause Hearing on Plaintiff's Preliminary Injunction Request	McMahon, Michael F
19.000	07/06/2021	07/02/2021	Praecept for Replacement - Page 20 of Complaint Replaced	McMahon, Michael F
20.000	07/06/2021	07/06/2021	Plaintiff's Notice Of Submittal	McMahon, Michael F
21.000	07/07/2021	07/06/2021	Response to Ex Parte Motion for Temporary Restraining Order	McMahon, Michael F
22.000	07/08/2021	07/07/2021	Plaintiffs' Reply in Support of Motion for Temporary Restraining Order	McMahon, Michael F
23.000	07/09/2021	07/09/2021	(email) Plaintiffs' Notice of Filing of Petition for Writ of Supervisory Control	McMahon, Michael F
24.000	07/12/2021	07/12/2021	(email) Unopposed Motion to Vacate July 15th hearing - Plaintiffs	McMahon, Michael F
25.000	07/12/2021	07/12/2021	(email) Plaintiffs' Brief in Support of Unopposed Motion to Vacate July 15th Hearing	McMahon, Michael F
26.000	07/13/2021	07/12/2021	(Original) Summons - State of Montana Served 06/30/2021	McMahon, Michael F
27.000	07/15/2021	07/14/2021	Unopposed Motion to Vacate July 15th Hearing - Plaintiffs	McMahon, Michael F
28.000	07/15/2021	07/14/2021	Plaintiffs' Brief in Support of Unopposed Motion to Vacate July 15th Hearing	McMahon, Michael F
29.000	07/15/2021	07/14/2021	Plaintiffs' Notice of Filing of Petition for Writ of Supervisory Control	McMahon, Michael F
30.000	07/16/2021	07/15/2021	Rule 5.1 Notice of Constitutional Question - Supreme Court	McMahon, Michael F
31.000	07/16/2021	07/15/2021	Order Vacating July 15th Hearing	McMahon, Michael F
32.000	07/19/2021	07/19/2021	(email) Notice of Appearance: Kathleen L. Smithgall - Defendant	McMahon, Michael F
33.000	07/22/2021	07/21/2021	Notice of Appearance: Kathleen L. Smithgall	McMahon, Michael F
34.000	07/22/2021	07/22/2021	(email) Plaintiffs' Notice of Decision	McMahon, Michael F

Lewis & Clark County District Court
Case Register Report
DV-25-2021-0000699-DK
Thomas Winter, et al. vs. State of Montana

Register of Actions

Doc. Seq.	Entered	Filed	Text	Judge
35.000	07/23/2021	07/22/2021	Order (Petition for Writ of Supervisory Control is DENIED and DISMISSED) - Supreme Court	McMahon, Michael F
36.000	07/23/2021	07/23/2021	(email) State of Montana's Motion to Dismiss	McMahon, Michael F
37.000	07/23/2021	07/23/2021	(email) State of Montana's Brief in Support of Motion to Dismiss	McMahon, Michael F
38.000	07/27/2021	07/27/2021	Plaintiffs' Notice of Decision	McMahon, Michael F
39.000	08/03/2021	08/03/2021	State of Montana's Motion to Dismiss	McMahon, Michael F
40.000	08/03/2021	08/03/2021	State of Montana's Brief in Support of Motion to Dismiss	McMahon, Michael F
41.000	08/06/2021	08/06/2021	(Email) Plaintiffs' Response in Opposition to the State of Montana's Motion to Dismiss	McMahon, Michael F
42.000	08/11/2021	08/10/2021	Plaintiffs' Response in Opposition to the State of Montana's Motion to Dismiss	McMahon, Michael F
43.000	08/23/2021	08/23/2021	(email) State of Montana's Reply Brief in Support of Motion to Dismiss	McMahon, Michael F
44.000	08/23/2021	08/23/2021	(email) State of Montana's Notice of Submittal	McMahon, Michael F
45.000	08/26/2021	08/26/2021	State of Montana's Reply Brief in Support of Motion to Dismiss	McMahon, Michael F
46.000	08/26/2021	08/26/2021	State of Montana's Notice of Submittal	McMahon, Michael F
47.000	08/30/2021	08/27/2021	(email) Notice of Withdrawal of Counsel - Defendant	McMahon, Michael F
48.000	08/31/2021	08/30/2021	Notice of Withdrawal of Counsel - J. Stuart Segrest for State of Montana	McMahon, Michael F
49.000	09/02/2021	09/01/2021	Dismissal Motion Order - Dismissed With Prejudice	McMahon, Michael F