

STATE OF MONTANA  
DEPARTMENT OF LABOR AND INDUSTRY  
HEARINGS BUREAU

IN RE INFORMATION REQUEST  
BY *THE BITTERROOT STAR*

Case No. 924- 2014:

NOTICE OF ENTRY OF APPEARANCE

PLEASE TAKE NOTICE, that the Meloy Law Firm does, hereby, enter its appearance as counsel of record for Michael Howell and *The Bitterroot Star*.

Please direct all further communications regarding this matter to:

Peter Michael Meloy  
Meloy Law Firm  
P.O. Box 1241  
Helena, MT 59624  
406-442-8670  
[mike@meloylawfirm.com](mailto:mike@meloylawfirm.com)

Michael Howell and the *Bitterroot Star* (“the requestors”) have received the Notice of Hearing and Telephonic Conference dated November 27<sup>th</sup>, 2013 setting a conference call for December 13, 2013. The undersigned counsel for the requestors is presently scheduled to be out of town and unavailable for a telephone call at the time of the conference and will be unable to participate.

However, in the interests of avoiding any delay in resolving the matters raised in the request, the requesting parties, through counsel, state the following:

1. The documents requested include the Senn complaint, together with any attachments to the complaint, Ravalli County’s response and Senn’s rebuttal; the requestors are not seeking disclosure of any other documents, including the witness lists of either party.
2. However, should this matter proceed further and the parties enter into a conciliation agreement before a decision is made on this information

request, the requesting parties also request access to the conciliation agreement.

3. In order to expedite a ruling on the issues raised in the request, the requestors waive any rights to a hearing in the matter and would submit the matter on the briefs of the parties. The undersigned has contacted counsel for the County and she has indicated that the County, too, waives a hearing and agrees the matter may be resolved upon the briefs of the parties.
4. The requestors are prepared to file a brief within 20 days of the telephonic conference call and would reserve the right to file a reply brief within 10 days of receipt of the County's brief. The requestors are also prepared to file and serve all papers electronically.
5. For the purpose of defining the issues to be raised in the briefing, the requestors will stipulate that the issue to be decided is whether Dusty McKern has a right to privacy concerning the information in the documents requested and, if so, does his right to privacy clearly outweigh the merits of public disclosure;
6. Requestors do not object to obtaining or examining copies of the requested documents with third party witness names redacted.
7. Unless there is a matter to be decided other than is set forth in this statement, the undersigned waives his appearance and participation in the scheduling conference.

Dated this 10<sup>th</sup> day of December, 2013.

/s/ Peter Michael Meloy  
PETER MICHAEL MELOY  
Meloy Law Firm  
Attorney for requestors

## **CERTIFICATE OF SERVICE**

This is to certify that on the 10<sup>th</sup> day of December, 2013, a true and exact copy of the foregoing document was sent via Email to the following:

Maureen Lennon  
MACO Defense Services  
2717 Skyway Drive, Ste. F  
Helena, MT 59602  
[mlennon@mtcounties.org](mailto:mlennon@mtcounties.org)

/s/ Peter Michael Meloy  
Peter M. Meloy