

## Glenda Wiles

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**From:** Elliott Oppenheim <intellitek@aol.com>  
**Sent:** Wednesday, June 6, 2018 9:26 AM  
**To:** Glenda Wiles  
**Cc:** Ravalli County Commissioners Office; Ray Hawk; Chris A. Hoffman; Greg Chilcott; Jeff Burrows; Doug Schallenberger  
**Subject:** Re: Holiday Display Policy

Thank you very much. All the Commissioners need to do is to adopt a non-discriminatory policy: equal for all. The policy is in effect at the Federal Level. "You can display at the Fairgrounds," while others display on County property is, per se, irrationally discriminatory and had not rational relation to any adverse consequence. I can attend if necessary but I am sure your County Attorney will tell you the same thing.

Sent from AOL Desktop

Elliott Oppenheim, MD,JD,LLM Health Law

406-273-4212

406-531-0879- cell

Hear me narrate my novel, Kaleidoscope!

Kaleidoscope: the novel, AUDIOBOOK

[http://www.audible.com/search/ref=a\\_mn\\_mt\\_ano\\_tseft\\_galileo/181-7732626-0833833?advsearchKeywords=kaleidoscope+novel&x=0&y=0](http://www.audible.com/search/ref=a_mn_mt_ano_tseft_galileo/181-7732626-0833833?advsearchKeywords=kaleidoscope+novel&x=0&y=0)

In a message dated 6/6/2018 9:18:10 AM Mountain Standard Time, gwiles@rc.mt.gov writes:

Mr. Oppenheim; Thank you for your email. It will be placed in Commissioners and General Correspondence. I will visit with Board Chair Jeff Burrows today regarding his receipt of the email. Glenda Wiles, Commissioners Administrative Assistant.

**From:** Elliott Oppenheim [<mailto:intellitek@aol.com>]  
**Sent:** Wednesday, June 6, 2018 9:11 AM  
**To:** Ravalli County Commissioners Office <[commissioners@rc.mt.gov](mailto:commissioners@rc.mt.gov)>; Glenda Wiles <[gwiles@rc.mt.gov](mailto:gwiles@rc.mt.gov)>  
**Cc:** [krystelp@aclumontana.org](mailto:krystelp@aclumontana.org); [editor@bitterrootstar.com](mailto:editor@bitterrootstar.com); [rossfranklin@msn.com](mailto:rossfranklin@msn.com); [americansunited@au.org](mailto:americansunited@au.org); [berrynash@gmail.com](mailto:berrynash@gmail.com); [annie.garde@mso.umt.edu](mailto:annie.garde@mso.umt.edu); [ilangton@keci.com](mailto:ilangton@keci.com); [news@keci.com](mailto:news@keci.com); [pbackus@ravallirepublic.com](mailto:pbackus@ravallirepublic.com); [medintelnet@aol.com](mailto:medintelnet@aol.com)  
**Subject:** Holiday Dislay Policy

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Elliott B. Oppenheim,

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*Oliver Wendell Holmes.*

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6 June 2018

Ravalli County Board of Commissioners

<http://ravalli.us/135/Commissioners>

[gwiles@rc.mt.gov](mailto:gwiles@rc.mt.gov) [commissioners@rc.mt.gov](mailto:commissioners@rc.mt.gov)

Gentlemen:

Please correct me if I misinterpret the Board of Commissioners position on holiday displays for Ravalli County. It appears as if the policy is the following: Ravalli County permits Christian display in and on Ravalli County sites, buildings, and inside the administrative office. Other entities, perhaps non-Christian interests, are permitted display at the County Fair Grounds.

On various occasions I have requested clarification of this policy. I have been told at various times that the County Attorney is very busy but was "working on it." Now, many months have passed as holiday season again approaches. I have been sufficiently patient.

The policy I request is simple: non-discrimination. Any and all entities shall receive equal and non-preferential treatment. Separate but equal, as your County Attorney knows does not meet US Constitutional muster under any form of First Amendment analysis.

Before engaging in further measure to assure conformance with United States Supreme Court decision, I am seeking further action. Your County Attorney has dawdled enough. I am demanding that the Board of Commissioners move ahead in a timely manner so that this issue may be settled in time for this year.

I think you have dodged this long enough and it is time to act. May I please have your response? Suit in Federal Court is not appealing and it will be very expensive but I assure you that many people affected by this policy are willing to move ahead. I anticipate a concrete policy proposal consistent with law then followed by the notice and comment period and a vote in a timely manner... not 2019.

Please confirm receipt of this e-mail.

Sincerely,

*Elliott Oppenheim, MD,JD, LLM Health Law*

Elliott Oppenheim, MD,JD, LLM Health Law

CEO & President, coMEDco, Inc.

Sent from AOL Desktop

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**From:** Jeff Burrows  
**Sent:** Wednesday, June 6, 2018 1:10 PM  
**To:** 'Elliott Oppenheim'  
**Cc:** Ravalli County Commissioners Office  
**Subject:** RE: Holiday Display Policy

Mr. Oppenheim,

As pleasant as it is to correspond with you via email, this will be my final correspondence to you in regards to this issue. Anything further will be from the attorney's office.

Jeff

Jeff Burrows  
Ravalli County Commissioner  
(406)-375-6503

**From:** Elliott Oppenheim <intellitek@aol.com>  
**Sent:** Wednesday, June 6, 2018 12:41 PM  
**To:** Jeff Burrows <jburrows@rc.mt.gov>  
**Cc:** pbackus@ravallirepublic.com  
**Subject:** Re: Holiday Display Policy

See if any of this makes an impression:

<https://billofrightsintstitute.org/cases/>

These are the cases... See if anything in these cases points to ignoring this issue and support your position. Do you "speak" on behalf of the Commissioners or is this "your personal opinion?" ...ignorant of the law as it is.

Sent from [AOL Desktop](#)

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In a message dated 6/6/2018 10:22:00 AM Mountain Standard Time, [jburrows@rc.mt.gov](mailto:jburrows@rc.mt.gov) writes:

The Commission and the County Attorney's Office are busy and the display policy you are "demanding" is not a priority at this time. I do not believe we need a policy that says we will follow federal law, but I am not an attorney

## Glenda Wiles

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**From:** Jeff Burrows  
**Sent:** Wednesday, June 6, 2018 10:22 AM  
**To:** 'Elliott Oppenheim'; Glenda Wiles  
**Cc:** Ravalli County Commissioners Office; Ray Hawk; Chris A. Hoffman; Greg Chilcott; Doug Schallenberger  
**Subject:** RE: Holiday Display Policy

Mr. Oppenheim,

The Commission and the County Attorney's Office are busy and the display policy you are "demanding" is not a priority at this time. I do not believe we need a policy that says we will follow federal law, but I am not an attorney.

If you have a specific display request, please submit it to the board, otherwise we will let you know if/when we develop a display policy.

Jeff

Jeff Burrows  
Ravalli County Commissioner  
(406)-375-6503

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**From:** Elliott Oppenheim <intellitek@aol.com>  
**Sent:** Wednesday, June 6, 2018 11:00 AM  
**To:** Glenda Wiles  
**Cc:** Ravalli County Commissioners Office; Ray Hawk; Chris A. Hoffman; Greg Chilcott; Jeff Burrows; Doug Schallenberger; pbackus@ravallirepublic.com  
**Subject:** Fwd: Holiday Display Policy: Time's Up

Please have your Board read carefully this website: <https://billofrightsinstitute.org/cases/>

NO case supports "selective" rules: separate but equal. Mr. Burrows says he is not a lawyer, and that is fine, but ignorance of the law is never an excuse. Please ask him to review these cases and see what he thinks. These case will influence your County Attorney. I do not want to sue but if this doesn't change the policy to be consistent with Federal laws, I assure you we will resort to suit and seek damages.

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**From:** gwiles@rc.mt.gov  
**To:** intellitek@aol.com  
**Cc:** jburrows@rc.mt.gov, CAHoffman@rc.mt.gov  
**Sent:** 6/6/2018 9:18:10 AM Mountain Standard Time  
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**Cc:** [krystelp@aclumontana.org](mailto:krystelp@aclumontana.org); [editor@bitterrootstar.com](mailto:editor@bitterrootstar.com); [rossfranklin@msn.com](mailto:rossfranklin@msn.com); [americansunited@au.org](mailto:americansunited@au.org); [berrynash@gmail.com](mailto:berrynash@gmail.com); [annie.garde@mso.umt.edu](mailto:annie.garde@mso.umt.edu); [ilangton@keci.com](mailto:ilangton@keci.com); [news@keci.com](mailto:news@keci.com);