

Ravalli County Attorney

205 Bedford Street, Suite C ♦ Hamilton, MT 59840 ♦ (406) 375-6750 ♦ Fax (406) 375-6731

County Attorney:

Bill Fulbright

Deputy Attorneys:

Daniel Browder
Thorin Geist
Bill Lower
Meghann Paddock
Howard Recht
Angela Wetzsteon

October 15, 2018

Doyle & Associates, P.C.
P.O. Box 446
103 Tyler Way
Lolo, MT 59847
Attn: Tana J. Doyle

Re: Disclosure of Current and Material Pending or Threatened Litigation –
Fiscal Year Ending June 30, 2016

Dear Ms. Doyle:

In connection with the audit for the fiscal year ended June 30, 2017, the following is a description of any material pending or threatened litigation, claims or contingencies involving matters with respect to which this office has been engaged or to which this office has devoted substantive attention on behalf of Ravalli County. Matters are regarded as material if they individually or (if a series of similar claims or lawsuits) in the aggregate involve amounts in excess of \$10,000.

Litigation – Pending and Resolved:

1. *Birkeneder v. Ravalli County*. Plaintiffs seek damages stemming from an alleged defective notice of Sheriff's sale. Ravalli County has asserted defense; action by the Court on the County's defenses is still pending. MACo has accepted claim and is providing a defense.
2. *Brothers v. Ravalli County, et al.* Plaintiff seeks unspecified damages stemming from an alleged violation of his constitutional rights associated with criminal charges filed against Plaintiff. MACo has accepted claim and is providing a defense.
3. *Bugli, et al. v. Ravalli County, et al.* Plaintiffs seek to block Ravalli County's efforts to remove a gate across a public road; plaintiffs also seek damages. Ravalli County's legal position has been upheld to date by the district court and the Montana Supreme Court. Plaintiffs have filed a second appeal before the Montana Supreme Court; the appeal is pending.



October 15, 2018

Page 2

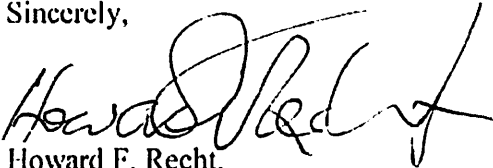
4. *Myers v. County Attorney, et al.* Plaintiff filed complaint in federal court against the county attorney and the attorney general seeking to have Montana's criminal defamation statute declared unconstitutional; plaintiff also seeks attorney fees. MACo has accepted claim, however the defense is being handled by the office of the attorney general primarily.
5. *State v. Burt.* Defendants were awarded attorney fees in a matter stemming from the enforcement of environmental laws. The award has been appealed to the Montana Supreme Court; appeal pending.

The foregoing list includes all civil litigation and claims which I have been able to identify, including those resolved during the fiscal year. This disclosure includes matters that existed as of June 30, 2017, and from that date to the date hereof. The County will supplement this information if additional information is obtained concerning suits or potential claims materially affecting the fiscal year ended June 30, 2017.

In the course of performing legal services, this office has not formed the professional conclusion that unasserted possible claims call for financial statement disclosure.

If you have any questions regarding the above information, please let me know.

Sincerely,



Howard F. Recht,
Deputy Attorney

cc: Ravalli County Commissioners
Klarryse L. Murphy, Chief Financial Officer
Dennis Jupka, MACo Claims Adjuster