

PARK COUNTY CLERK  
OF DISTRICT COURT

2018 OCT 22 AM 10:07

FILED  
BY MOLLY BRADBERRY  
DEPUTY

Chad Stone  
12 Mercury Lane  
Emigrant MT 59027  
406-220-2711  
Plaintiff Pro Se

MONTANA 6th JUDICIAL DISTRICT COURT, PARK COUNTY  
DV 2018-148

**Glastonbury Landowners Association**

**VS.**

**Chad Stone and Lindsey Stone**

**Response and Counter Claim**

COMES NOW DEFENDENT CHAD STONE:

1. Chad Stone is a 41 year old male and the owner of the property known as 12 Mercury lane.
2. 12 Mercury lane has been Chads sole residence since July 1st 2013.
3. Chad purchased the home and property for \$245,000 in July 2013.
4. The property is 11 acres and has residence described as a single family residence as defined in MCA 70-24-103 (15)
5. Chad is a disabled veteran who lives on a very limited income.
6. Upon moving to 12 Mercury the defendants have waged a campaign of harassment and discrimination against Chad.

**Complaint**

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7. Chad has done significant improvements to his property including building gardens and caring for chickens and ducks.
8. Upon arrival on my property Chad wanted to erect a 10×24 foot hoop house. This building is made of 7 - 1" tubes covered in plastic for a garden. It is highly debatable whether a project review is even required for garden structure like this. Chad submitted a project review and a \$50 fee for the structure along with a fee (don't remember the amount) that was supposed to be refunded for environmental impact. Chad was unsure how building a garden was going to have a negative environmental impact but paid the fee. Upon going to the Board meeting to have them openly discuss Chad's plans Chad was asked all kinds of ridiculous questions like what are you planning on growing. Then came the next project review which was a similar to Chad's. The board president openly advocated that all fees be waived. Chad later learned that both were members of the Church universal and triumphant. Chad's garden is beautiful and he has still have not received his "impact fee" back. This began a realization to Chad that the rules of the association are applied differently for different folks.
9. Within weeks of moving to his property Chad spent no more than an hour target shooting on his property. This is a right given to us not only in US and Montana constitutions but also ratified in the Montana code annotated. While Chad was shooting one neighbor trespassed on his property screaming and yelling at him. This neighbor then called the police and submitted a nuisance complaint against Chad to the GLA. The GLA instead of ignoring the complaint knowing that they are disallowed by law to restrict my gun use on property heard the complaint. The board president at the time

openly advocated for limiting Chads gun rights but wanted to maintain her own because "she had gofers that dug holes and her horse could fall into a hole." Nevermind Chad had horses and the same problem. Turns out both the complainer and the board president are members of the church universal and triumphant. This event demonstrates the vast level of discrimination and harassment that exists within the Glastonbury landowners association. This violation of Chad's gun rights and his right to privacy on his property has caused Chad significant emotional distress and significant loss of enjoyment of his property.

10. The aforementioned situation also rises to the level of breach of contract under Montana Code Annotated Breach of contract MCA 28-1-201 Every person is bound, without contract, to abstain from injuring the person or property of another or infringing upon any of another person's rights.
11. When Chad purchased this property it was with the knowledge that some of his property that boarded the Dirkers property was on the other side of his fence. Chad spoke with the Dirkers about it and they requested that the fence remain where it was. Chad had the property surveyed by a local surveyor who determined the property line. Chad spoke with the Dirkers and the fence remained with the knowledge that the property belongs to Chad. Recently because of circumstances that are of no business to the Dirkers Chad has had the need to remove the fence that is completely on his property and ensure that the Dirkers respect the property boundaries. The Dirkers called the police and filed a false police report and it is Chad's understanding that they have filed a nuisance complaint with the GLA. It is within Chads rights to remove a fence on

his property. Meanwhile the only violation of the GLA covenants is that the Dirkers residence is too close to Chad's property and their water well is on his property. The board continues to ignore the violations of our covenants the Dirkers have affected Chads property with while empowering the Dirkers to use the Glastonbury landowners association to illegitimately harrass Chad for removing a fence totally located on my property. This has lead to serious emotional distress and loss of enjoyment of his property for Chad.

12. Under the leadership of Charlotte Mizzy the fact that the Dirkers house was inside of the 50 setback on the property line Mizzy told Chad she “would take that under advisement.” Montana code annotated 28-1-101 An obligation is a legal duty by which a person is bound to do or not to do a certain thing.
13. The legal description of Chad’s home is a single family dwelling. Neighbors who have intimate knowledge of the interior of his home reported to the GLA that he had a roommate in his basement space and should be charged for 2 dwellings despite the fact that Montana code annotated specifically restricts this practice. MCA 49-2-305. The board sent Chad a letter demanding that he allow a member of the board to inspect the interior of his house home, his sanctuary, to prove he didn't have a renter. Something Chad allowed board member Kevin Newby to do because Chad was terrified. This was a completely dehumanizing experience of Chad and violated his right to privacy. This event triggered a PTSD reaction reminding Chad of locker inspections from basic training. This has lead to a significant emotional distress for Chad and loss of enjoyment of his property. This has also lead to a significant loss of income for a

disabled veteran who lives on a very small amount of money. Totally scared to rent a space because of the out right discrimination of the GLA against Chad.

14. Chad pointed out to the board of directors that a board member (at the time), Paul Rantello, actually had a second dwelling on his property and was not being assessed. Board member Charlene Murphy accused Chad of “bullying” Chad. This discrimination has caused Chad significant emotional distress and loss of enjoyment on his property.
15. It came to Chads attention that several members of the GLA had been forgiven dues or given reduced assessments directly from the board treasurer. These had one thing in common. The board treasurer was a member of the church universal and triumphant and so was the recipient of the reduction or forgiveness of the assessment. Chad has been demanding records that he is legally entitled to regarding this issue for years and I am gets no response from the board. The board for years has allowed certain members of the association to not pay their dues. Again because Chad has been denied records specific amounts of money are not known but it is rumored that a property owned by the Church Universal and triumphant is over \$40,000 in the rear on assessment. In light of this discriminatory practice and the lack of response from the board regarding documentation that members are entitled to, Chad stopped paying his dues. This has been met with liens on his property and collection efforts. While Dan Kehoe, Church universal and triumphant member, advocates for forgiveness of the dues that are owed the association from the Church universal and triumphant. This discrimination has lead to a significant emotional distress for Chad and a loss of enjoyment of his property.

Director Mark Seaver has personally threatened Chad in meeting regarding this issue stating you are going to pay or we are going to take your house. Director Regina Wunch has argued in meetings we are just going to force him to move.

16. On new years eve Chad lights fireworks. Chads neighbors call the cops and submit a complaint to the Glastonbury landowners association. Other neighbors are lighting fireworks but it is Chads fireworks that offend the Glastonbury landowners association. So they try to regulate Chad's behavior on his property while ignoring others. This discriminatory behavior has lead to significant emotional distress for Chad and loss of enjoyment of his property and way of life.
17. Chad, recently had some wood delivered to his house so he can burn it to heat his home. Despite the fact that Chad's neighbors have been doing the same thing every year he has lived here they have labeled his operation a firewood business and a nuisance. The board of directors has acted on this harrassment and they have sent Chad a letter saying he is not able to have a firewood business on his property despite the fact that there is no firewood business on Chad's property. This is also in the face of the fact that there are other firewood business in North Glastonbury. Our covenants and Montana state law allow for businesses like a firewood business on a person's property. Chad can not figure out that IF he wanted to start a firewood business on his property why his would be disallowed all the while others can have a firewood business on their property. It is discrimination for the GLA to allow one firewood business while abusing Chad, a member, who just had some wood delivered to their property to burn in his house. The Glastonbury landowners association are allowing members to use the

Glastonbury landowners association to harass, libel, and criminally defame Chad. This has led to significant emotional distress for Chad and a loss of enjoyment on his property.

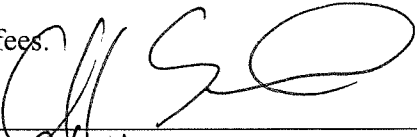
18. The aforementioned nuisance complaint is in the face of many businesses in North Glastonbury including a dog shelter where dogs can be heard barking and howling all night.
19. At the outset of every meeting the members of the Church universal and triumphant who are on the board have demanded a religious ceremony before the meetings. This has greatly offended Chad and has caused him emotional distress. This ceremony consists of a moment of silence along with a dictation. Chad has asked for this to stop. Chad's religious beliefs are deeply held and personal. The religious ceremony is the equivalent of satan worship to Chad. He has communicated this to several on the board and yet this religious discrimination continues.
20. A report was made to Linda Ulrich the ombudsman regarding these issues. While she submitted her ombudsman report none of the aforementioned issues were discussed however the issues of Chad's non-existent firewood business were along with other salacious, unverified, misleading and discriminatory statements about Chad were made by the ombudsman.
21. Board President at the time, Charlotte Mizzy, libeled Chad by accusing Chad of assaulting her in email communications.

22. The GLA covenants require that the majority of the funds collected thru assessment be put to use on the private road system. The facts are that the majority of the funds are paid towards an administrative assistant and attorneys.

23. Chad thru and attorney requested to be removed from the association in accordance with the covenants.

THEREFORE the Plaintiff respectfully asks this court to grant the following:

1. In light of the egregious liable, discrimination, and criminal defamation, loss of enjoyment of his property and the intention emotional distress Chad is seeking seeking damages in the amount of \$735,000 or 3 x the purchase price of Chad's home from each of the defendants pursuant to Montana code annotated 27-1-305. Property of peculiar value. Where a certain property has a peculiar value to a person recovering damages for deprivation thereof or injury thereto, that may be deemed to be its value against one who had notice thereof before incurring a liability to damages in respect thereof or against a willful wrongdoer.
2. Chad is asking that the court use its eminence discretion to put an end to the Glastonbury landowners association as it exists and order the association to become a roads only association.
3. There is a provision in the Glastonbury landowners association that allows for members to exit the association. Chad is asking the court to order the association to trigger that provision for his house and property.
4. Any related court costs and attorneys fees.

  
\_\_\_\_\_  
(Your signature)  
Chad Stone  
\_\_\_\_\_  
(Print your name)  
\_\_\_\_\_



(Date)

State of Montana )  
County of Park ) : ss

Chad Stone, being first duly sworn, upon oath, deposes and says as follows:  
I am the Plaintiff in the foregoing Complaint. I have read the foregoing Complaint and the facts of the matter contained herein are true, correct and complete to the best of my knowledge and belief.

[Signature]  
~~Plaintiff~~  
Defendant

Signed and sworn to (or affirmed) before me this 22 day of Oct, 2018.

[Signature] Deputy  
(Signature of notary) Molly Brackberry Clerk

Notary public for the state of \_\_\_\_\_

Residing at: [Signature]

My commission expires: [Signature]

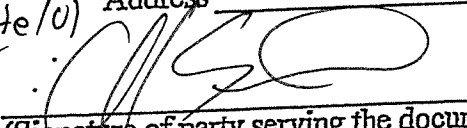
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing instrument was served upon the person(s) named below by :

- first-class mail postage pre-paid at the address set forth below on \_\_\_\_\_ (date).
- hand delivery to the person named below on \_\_\_\_\_ (date).
- placing into the box of counsel at the Clerk of District Court office on \_\_\_\_\_ (date).

Name Tyler Mallowney / Andrew Willett Name \_\_\_\_\_  
Address \_\_\_\_\_ Address \_\_\_\_\_

2006 Stadium Drive Suite 101  
Bozeman MT 59715

  
(Signature of party serving the document)