

control of their own website being held hostage by one rough Board member-Timothy Brockett.

This complaint admission is just cause for this joinder motion to avoid filing a separate lawsuit for the exact same demand and requested relief found in this Complaint (pp.7): “Order that all login credentials for the GLA maintain website be provided to the [GLA] Secretary” Charlette Mizzi.

This joinder is needed for relief by this same demand—namely to edit and remove GLA website materials directly involving O’Connells’ materials that are incomplete, outdated, false, inaccurate, and more—all found on the GLA's website (see GLA Website-Exhibit 1).

Authority & Relief:

This motion allows this joinder motion request to add Valery O’Connell as a Plaintiff party pursuant to the following M.R.Civ.P. Rules 19, 20, & 22:

Rule 19. Required Joinder of Parties.

(a) Persons Required to be Joined if Feasible.

(1) Required Party. A person who is subject to service of process must be joined as a party if:
(A) in that person's absence, the court cannot accord complete relief among existing parties; or
(B) that person claims an interest relating to the subject of the action and is so situated that disposing of the action in the person's absence may:

(i) as a practical matter impair or impede the person's ability to protect the interest; or
(ii) leave an existing party subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations because of the interest.

(2) Joinder by Court Order. If a person has not been joined as required, the court must order that the person be made a party. A person who refuses to join as a plaintiff may be made either a defendant or, in a proper case, an involuntary plaintiff.

(3) Venue. If a joined party objects to venue and the joinder would make venue improper, the court must dismiss that party.

(b) When Joinder is not Feasible. If a person who is required to be joined if feasible cannot be joined, the court must determine whether, in equity and good conscience, the action should proceed among the existing parties or should be dismissed. The factors for the court to consider include:

(1) the extent to which a judgment rendered in the person's absence might prejudice that person or the existing parties;

(2) the extent to which any prejudice could be lessened or avoided by:

(A) protective provisions in the judgment;

(B) shaping the relief; or

- (C) other measures;
- (3) whether a judgment rendered in the person's absence would be adequate; and
- (4) whether the plaintiff would have an adequate remedy if the action were dismissed for nonjoinder.
- (c) Pleading the Reasons for Nonjoinder. When asserting a claim for relief, a party must state:
 - (1) the name, if known, of any person who is required to be joined if feasible but is not joined; and
 - (2) the reasons for not joining that person.
- (d) Exception for Class Actions. This rule is subject to Rule 23.

Rule 20. Permissive Joinder of Parties.

- (a) Persons Who May Join or Be Joined.
 - (1) Plaintiffs. Persons may join in one action as plaintiffs if:
 - (A) they assert any right to relief jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and
 - (B) any question of law or fact common to all plaintiffs will arise in the action.
 - (2) Defendants. Persons may be joined in one action as defendants if:
 - (A) any right to relief is asserted against them jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and
 - (B) any question of law or fact common to all defendants will arise in the action.
 - (3) Extent of Relief. Neither a plaintiff nor a defendant need be interested in obtaining or defending against all the relief demanded. The court may grant judgment to one or more plaintiffs according to their rights, and against one or more defendants according to their liabilities.
- (b) Protective Measures. The court may issue orders -- including an order for separate trials -- to protect a party against embarrassment, delay, expense, or other prejudice that arises from including a person against whom the party asserts no claim and who asserts no claim against the party.

Rule 22. Interpleader.

- (a) Joinder, cross-claim, or counterclaim.
 - (1) By a Plaintiff. Persons with claims that may expose a plaintiff to double or multiple liability may be joined as defendants and required to interplead. Joinder for interpleader is proper even though:
 - (A) the claims of the several claimants, or the titles on which their claims depend, lack a common origin or are adverse and independent rather than identical; or
 - (B) the plaintiff denies liability in whole or in part to any or all of the claimants.
 - (2) By a Defendant. A defendant exposed to similar liability may seek interpleader through a crossclaim or counterclaim.
- (b) Substitution.

(1) Grounds. A defendant in a contract or property action may substitute as the defendant a person who is not a party and who demands the same debt or property at issue in the action, upon motion made:

(A) before the defendant files an answer;

(B) with due notice to the person not a party and to the plaintiff; and

(C) upon affidavit that a person not a party to the action:

(i) makes against the defendant a demand for the same debt or property, and

(ii) is not colluding with the defendant.

(2) Deposit of Debt or Delivery of Property. A defendant substituted under this rule must, at the court's discretion, either:

(A) deposit in court the amount of the debt at issue; or

(B) deliver the property at issue or its value to such person as the court may direct.

(3) Discharge of Liability. A defendant's deposit of debt or delivery of property under subsection (b)(2) discharges the defendant's liability to either the plaintiff or the substitute defendant.

The GLA lost control of their website that contains disparaging materials about O'Connells that are incomplete and outdated; thereby it's a false or inaccurate accounting of the record and invasion of O'Connell family privacy for being placed in such a false light in the public eye. The complaint joiner will save everyone and the court much time, resources, and more in allowing this joiner to resolve the identical dispute as found in Plaintiffs' complaint. Thus any or all of the authorities above allow this joiner motion as necessary for justice and more reasons as stated within attached Exhibits.

REQUESTED RELIEF:

Under these authorities above, the Court has authority to issue an Order granting this joiner motion as necessary, and justice so requires such relief as necessary:

- 1) Order granting this joiner motion per rule(s) 22, or 19 & 20) to avoid filing a separate lawsuit for the exact same demand and requested relief found in this Complaint (pp.7): "Order that all login credentials for the GLA maintain website be provided to the [GLA] Secretary" Charlette Mizzi; which relief sought is for the purpose to edit and remove GLA website materials directly involving O'Connells' materials that are incomplete, outdated, false, inaccurate, and more—all found on the GLA's website (see GLA Website-Exhibit 1).

- 2) Order granting this joinder motion per rule 19 (above) to complete relief among existing parties; and that person is so situated that disposing of the action in the person's absence may as a practical matter impair or impede O'Connells' ability to protect their interest; or leave the GLA and all other parties subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations because of this filing agent interest; and
- 3) Order granting this joinder motion per rule 20 as this joinder pertains to "any question of law or fact common to all plaintiffs already arise in the action, or else this joinder will resolve any question of law or fact common to all parties in the action.
- 4) For such further and other relief as the Court deems just and proper, including extent of relief: neither a plaintiff nor a defendant need be interested in obtaining or defending against all the relief demanded. The court may grant judgment to one or more plaintiffs according to their rights, and against one or more defendants according to their liabilities.

DATED this 16th day of June, 2021.

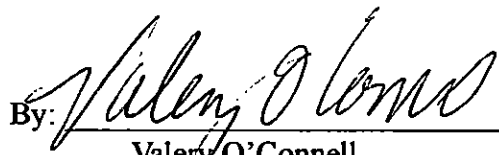
By: 
Valery O'Connell

Certificate of Service

A true and correct copy of forgoing document(s) were sent to the following parties, via first class mail, on the following day to:

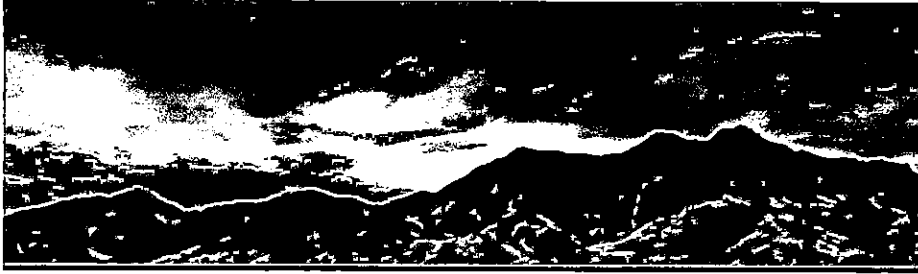
Jenifer S. Reece-Reece Law Firm PLLC for Plaintiffs
107 East Oak St., Set #3CStreet
Bozeman, MT. 59715

Seth Cunningham-Brown Law Firm for Defendants
315 North 24th Street
Billings, MT.. 59101

By: 
Valery O'Connell

GLA Montana

Glastonbury Landowners Association



- HOME
- LANDOWNER RESOURCES ▾
- PROSPECTIVE LANDOWNERS ▾
- GOVERNANCE ▾
- SEARCH
- COMMUNICATIONS ▾
- CONTACT US

Legal Cases

Rakela: DV 17-150

Latest on top

Note that the Judicial Findings of Fact completely support the Board's decisions.

- Rakela suit dismissed with prejudice
- Signed Settlement Agreement
- Motion to dismiss O'Connell appeal
- Response to dismissal of Parkers and Dobrowski
- Judicial Findings of Fact, Conclusions of Law
- Reply to Plaintiffs Response to Motion Re O'Connells
- Rakela response to order resolving vexatious litigant
- Rakela affidavit re O'Connell Vexatious Litigant response

- Answer to Plaintiff's Amended Complaint
- Motion to Grant Amended FOF & COL
- Amended Complaint and Relief Petition
- Court response to Motion to Modify
- Motion to Modify Court order
- Court Order after Mar. 23 hearing
- Court denies O'Connell Joinder
- Order Setting Mar. 23 Hearing Date
- Amended Schedule 03/06/18
- Rakela motion to stay Jan. 2 2018 hearing
- GLA Full response to Rakela
- GLA Response to O'Connell Joinder
- GLA initial response to Rakela
- Rakela lawsuit hearing schedule
- O'Connell joinder
- Full Rakela petition
- Election Restraining order

O'Connell Restraining Order

In Oct. 2017, GLA board members filed a temporary restraining order against the O'Connells. That order was converted to a 2 year Interim Order of Protection on Dec. 22, 2017.

- O'Connell appeal to MT Supreme Court
- Findings of Fact, Interim Protection Order (2 years)
- Order granting summary judgement

O'Connell vexatious litigants rulings

US District Court Magistrate Recommendations
 O'Connell Rule 60 Denial
 O'Connell Rule 60 & Counterclaim Motions

This link takes you to the entire 21 page ruling of the Montana Sixth District Court. Vexatious Litigants Ruling

O'Connell restraining order rulings

Oct. 26, 2018: The District court issued two rulings about the Restraining Order barring the physical presence of Daniel and Valery O'Connell at GLA Board meetings.

Order Granting Summary Judgement
 Denial of Rule 59 & 60 Motions
 O'Connell's appeal to MT Supreme Court
 Findings of Fact, Interim Protection Order

Rakela, Parker, Dobrowski Lawsuit Settled 09 28 2018

A settlement agreement between Ms. Rakela and the GLA board has been signed.

Rakela suit Dismissal with Prejudice

Exhibit 1

- Order granting summary judgement
- Order denying O'Connell Rule 59 & 60 motions

O'Connell Vexatious Litigant Lawsuit:

In 2016, the GLA started a vexatious litigant complaint against Valery and Daniel O'Connell. Shortly thereafter, Cristal O'Connell filed a lawsuit against the GLA. The court recognized this as an attempt by the O'Connell parents to use their children as proxies in filing lawsuits. Therefore, the O'Connell children were added to the vexatious litigant complaint. Filings and court rulings about the

vexatious litigant suit are listed here.

- US District Court Magistrate Recommendations
- Dismissal of O'Connell rule 60 motions
- O'Connell rule 60 & counterclaim motions
- O'Connell Children Rule 60 Motion
- O'Connell Vexatious Litigant Violation Ruling
- GLA action on vexatious litigants
- Vexatious Litigants Ruling
- O'Connell vexatious litigant hearing schedule

Rejoice

Signed Settlement Agreement
Motion to Dismiss O'Connell appeal
Response to dismissal of Parkers & Dobrowski
Judicial Findings of Fact, Conclusions of Law

All court filings can be found here.

O'Connell Lawsuit: DV-2011-114

The original complaint was dismissed by the District Court for failure to state a claim for which relief could be granted, and the O'Connells were ordered to pay costs and attorney fees. The District court issued its ruling on May 31, 2016 on the O'Connell complaint and GLA Motion for Summary Judgment. The files posted here relate to the amended complaint.

Documents are listed in chronological order. (Bolded are the most recently posted documents.)

2013 Filings – DV-2011-114

- 01 New Amended Complaint & Motion for Pleading 2-31-13 (link)
- 02 Notice of Appearance DV 11-114 3-18-13 (link)
- 03 Defendants' Answer and Affirmative Defenses 11-114 3-18-13 (link)
- 04 Order 3-15-13 (link)
- 05 Motion to Allow Counterclaim 4-9-13 (link)
- 06 Proposed Counterclaim 4-9-13 (link)
- 07 Order Granting Counterclaim 4-16-13 (link)
- 08 Plaintiffs' Motion for Change of Venue 4-24-13 (link)
- 09 Plaintiffs' Motions for Dismissal of Defendants' Counterclaim & Extension to Answer & Rule 60(b) Motion 4-24-13 (link)
- 10 Defendants' Response Regarding Dismissal of Counterclaim and Extension to Answer and Rule 60(b) Motion 5-13-13 (link)
- 11 Defendants' Response to Plaintiffs' Motion for Change of Venue 5-16-13 (link)
- 12 Plaintiffs' Motion for Joinder of Claims & Cases 5-24-13 (link)
- 13 Plaintiffs Motion Reply re Dismissal of Counterclaim 12/14/13 Motion re 60(b) Motion 5-31-13 (link)

- 14 Plaintiffs' Motion for Partial Discovery Request 6-10-13 (link)
- 15 Notice of Decision in DV-2012-220 & DV-2012-164 Making Plaintiffs' Pending Motions Moot 6-21-13 (link)
- 16 Defendants' Response to Plaintiffs' Motion for Partial Discovery 6-26-13 (link)
- 17 Plaintiffs' Motion Response & Partial Discovery Request for Docs & Admissions Only 6-28-13 (link)
- 18 Plaintiffs' Motion for Sanctions and Removal of Limited Scope Representative 7-9-13 (link)
- 19 Defendant's Motion for Partial Summary Judgment DV2011-114 7-11-13 (link)
- 20 Defendant's Brief in Support of Its Motion for Partial Summary Judgment DV2011-114 7-11-13 (link)
- 21 Response to Motion for Sanction and Removal of Attorney 7-14-13 (link)
- 22 Defendants' Response to Plaintiffs' Motion Response & Partial Discovery Request for Docs & Admissions Only 7-26-13 (link)
- 23 Plaintiffs' Reply & Motion to Strike Partial Summary Judgment Motion 7-26-13 (link)
- 24 Plaintiffs' Affidavit in Support of Motion to Strike & Deny Summary Judgment Motion 7-26-13 (link)
- 25 Plaintiffs' Reply Brief to Motion for Sanctions & Removal of Limited Scope Counsel 7-26-13 (link)
- 26 Defendants' Reply Brief to Plaintiffs' Reply in Opposition to Defendants' Motion for Partial Summary Judgment 8-9-13 (link)
- 27 Plaintiffs' Reply & More Partial Discovery Requested for Documents & Admissions (link)
- 28 Defendants' Response to Plaintiffs' Reply & More Partial Discovery Requested for Docs & Admissions 9-11-13 (link)
- 29 Proposed Order re Motion for Sanction and Removal of Attorney 10-2-13 (link)
- 30 Order re Motion for Sanction and Removal of Attorney 10-7-13 (link)
- 31 Order Granting Defendant's Motion for Partial Summary Judgment 12-9-13 (link)
- 32 Notice of Delay of Discovery and Oral Deposition 06-13-2014 (link)

2014 Filings – DV-2011-114

- 33 Claim & Motion Request to Indemnify Plaintiff 06-3-2014 (link)
- 34 Affidavit in Support of Motion Indemnify Plaintiff 06-03-2014 (link)
- 35 Affidavit in Support of Motion to Indemnify Plaintiff 06-03-2014 (link)
- 36 Notice of Additional Method of Recording Deposition of Alyssa Allen 06-05-2014 (link)
- 37 Plaintiffs Delay of Deposition Pending Motion to Indemnify 06-10-2014 (link)
- 38 Defendant's Response in Opp to Ps' Claim & Motion Request to Indemnify Plaintiff 06-17-2014 (link)
- 39 Order to Serve Counsel of Record for Defendants_ Note cause no is in error 06-23-2014 (link)
- 40 Plaintiffs' Notice & Clarification on Orders to Serve Counsel of Record 06-27-14 (link)
- 41 Plaintiff's Affidavit in Support of Indemnification Motion 06-30-2014 (link)
- 42 Plaintiffs' Response to Ds' Reply to Indemnification Motion 06-30-2014 (link)
- 43 Defendant's Brief in Support of its Motion for Summary Judgment 08-04-2014 (link)
- 45 Notice to Modify Date and Place of Depositions 08-18-2014 (link)
- 46 Plaintiffs Motion for Extension of Time & Motion to Strike Defendants' Motion for Summary Judgment 08-18-2014 (link)

- 47 Defendant's Motion to Quash Subpoenas for Depositions and Brief in Support 08-26-14 (link)
- 48 Plaintiffs' Response in Opposition to Motion to Quash Subpoenas 08-28-14 (link)
- 49 Defendant's Reply to Ps' Response in Opp to Motion to Quash Subpoenas for Depositions 09-03-14 (link)
- 50 Defendant's Response in Opposition to Plaintiffs' Motion for Extension of Time & Motion to Strike 09-04-14 (link)
- 51 Order Granting Defendant's Motion to Quash Subpoenas and Depositions 09-08-14 (link)
- 52 Plaintiffs' Reply to Motion for Extension of Time & Motion to Strike Defendant's Motion for Summary Judgement 09-10-14 (link)
- 53 Plaintiffs' Motion for Relief from Orders Dated Sept 8, 2014 09-10-14 (link)
- 54 Plaintiffs' Pre-Discovery Disclosure Notice 09-10-14 (link)
- 55 Defendant's Response in Opposition to Plaintiffs' Motion for Relief from Orders Dated Sept 8 2014 09-22-14 (link)
- 56 Defendant's Submission of Attorney Fees and Costs 09-25-14 (link)
- 57 Plaintiffs Reply Motion for Relief from Orders Dated Sept 8, 2014 10-6-14 (link)
- 58 Plaintiffs Motion for Delay of Orders Pending Rule 60 Motion Outcome and Response Against Attorney Fees 10-14-14 (link)
- D9 Plaintiffs Requests for Defendant Admissions 10-14-14 (link)
- D10 Plaintiffs' Amended Request For Admissions GLA 10-17-14 (link)
- 60 GLA Response in Opposition to Plaintiffs' Motion for Delay of Orders Pending Rule 60 Motion Outcome and Response Against Attorney Fees & Costs 10-27-14 (link)
- D11 Plaintiffs' Interrogatories to GLA 10-31-14 (link)
- D11a Appendix 1 Plaintiffs' Pre-Discovery Disclosure for Interrogatories 10-31-14 (link)
- 61 Plaintiffs' Local Rule 10 Motion to Strike GLA's Summary Judgment Motion & Motion for Rule 11 Sanctions & Motion for Extension of Time 11-5-14 (link)
- 62 Plaintiffs' Motion Response for Delay of Orders Pending Rule 60 Motion & Response Against GLA's Attorney Fees & Costs_11-12-14 (link)
- D12 GLA Response to Plaintiffs Amended Request for GLA Admissions 11-17-14 (link)
- 63 GLA Motion to Proceed on Summary Judgment Brief 11-18-14 (link)
- 64 Plaintiffs' Proposed Order Granting Motion Against Sept 9, 2014 Orders 11-18-14 (link)
- 65 GLA Motion for Extension to Respond to Plaintiffs' Interrogatories 11-20-14 (link)
- 66 Plaintiffs' Motion Ordering GLA Respond to Discovery of Interrogatories, Reply Against GLAs Extension Motion, Reply Against Motion to Proceed on SJM (Summary Judgment Motion) & Reply for Sanction Motion 12-4-14 (link)
- 67 Plaintiffs' Motion for Orders Reestablishing Parties to the Complaint 12-2-14 (link)
- 68 Order Granting GLA's Motion for Extension to Respond to Plaintiffs' Interrogatories 12-2-14 (link)
- 69 GLA's Opposition to Plaintiffs' Motion for Orders Reestablishing Parties to the Court 12-16-14 (link)
- 70 GLA's Response in Opposition to Plaintiffs' Motion Ordering GLA Respond to Discovery of Interrogatories, Reply Against GLA's Extension Motion, Reply Against Motion to Proceed on Summary Judgment Motion & Reply for Sanction Motion 12-14-14 (link)
- 71 Plaintiffs' Motion Response Reestablishing parties 12-31-14 (link)
- D13 GLA Response to Plaintiffs' Interrogatories

to GLA 12-31-14 (link)

2015 Filings – DV-2011-114

- D14 GLA Response to Plaintiffs Rephrased Requests for GLA Admissions 1-3-15 (link)
- 72 Plaintiffs' Response in Opposition to GLA Summary Judgment Motion 4-20-15 (link) – Note: large file
- 73 GLA's Reply to Plaintiffs' Response in Opposition to GLA Motion for Summary Judgment-no exhibits 5-5-15 (link)
- 73 GLA's Reply to Plaintiffs' Response in Opposition to GLA Motion for Summary Judgment-with exhibits 5-5-15 (link) – Note: large file
- 74 Affidavit of Allen Supp to GLA Motion for Summary Judgment 5-5-15 (link)
- 75 Plaintiffs' Motion to Strike Allens Affidavit 5-7-15 (link)
- 76 Affidavit in Support of Motion to Strike/Disregard Allen's Affidavit 5-13-15 (link)
- 77 GLA Response in Opposition to Plaintiffs' Motion to Strike Allen's Affidavit 5-21-15 (link)
- 78 Plaintiffs' Motion Reply to Strike Allen's Affidavit 6-4-15 (link)
- 79 GLA Motion for a Protective Order 7-27-15 (link)
- 80 GLA Brief in Support of its Motion for Protective Order 7-27-15 (link)
- 81 Allen Affidavit 7-27-15 (link)
- 82 Kehoe Affidavit 7-27-15 (link)
- 83 McSherry Affidavit 7-27-15 (link)
- 84 Plaintiffs' Brief and Counter Motion for Protective Order and Sanctions and Reply to GLA Motion for Protective Order 8-7-15 (link)
- 85 GLA Answer to Plaintiff's Objection to Motion for Protective Order 8-24-15 (link)
- 86 Plaintiffs Response to GLAs Answer to Plaintiffs Motion for Protective Order and Sanctions 9-4-15 (link)
- 87_Order Granting GLA's Motion for Protective Order 9-15-2015 (link)
- 88_Plaintiffs Affidavit for Cybulski's Disqualification 9-23-15 (link)
- 89_Plaintiffs Rule 62 Motion and Brief for- Stay of 9-17-2015 Orders 9-23-15 (link)
- 90_MT Supreme Court Order Deny Plaintiffs Affidavit 9-29-2015 (link)
- 91_Plaintiff's Petition for Writ of Prohibition or Alternate Writ of Review and for Immediate Stay Pending Disposition 10-14-2015 (link)
- 92_Affidavit of Michael P. Heringer 10-20-2015 (link)
- 93_Affidavit of Seth M. Cunningham 10-20-2015 (link)
- 94_Defendant's Submission of Atty Fees and Costs as a Result of its Motion for Protective Order 10-20-2015 (link)
- 95_MT Supreme Court Order Deny Plaintiffs Petition 10-27-2015 (link)
- 96_Plaintiff's Motion Reponse for Delay of Orders-Motion and Response Against GLA's Atty Fees and Costs for Protective Order_11-4-2015 (link)
- 97_Plaintiffs Affidavit in Support of Delay of Orders-Motion and Response Against Atty Fees and Costs_11-5-2015 (link)
- 98_GLA's Response in Opposition to Plaintiff's Motion to Delay Orders-Against Atty Fees_11-18-2015 (link)
- 99_GLA's Submission of Proposed Decision and Order Granting GLAs Motion for Summary Judgment and Other Pending Motions_12-28-2015 (link)
- 99a_Proposed Decision and Order Granting GLAs Motion for Summary Judgment and Other Pending Motions_12-28-2015_7-14-2016 (link) (2.5M file size)

2016 Filings – DV-2011-114

- 100_Plaintiffs Motion for 2015 Amended Complaint and Motion Against Consideration of Proposed Order_1-4-2016 (link)
- 100a_Plaintiffs 2015 Amended Complaint_1-4-2016 (link)
- 101_GLA Response in Opposition to Plaintiffs Motion for 2015 Amended Complaint and Motion Against Proposed Order_1-12-16 (link)
- 103_Decision and Order Granting the GLA Motion of Summary Judgment and other pending motions_5-31-16 (link)
- 104_Plaintiffs' Rule 60 Motion in Opposition to Orders Sept 2014 & 2015 & Orders Granting Summary Judgment Motion_6-28-2016 (link)
- 105_GLA Response in Opposition to Plaintiffs' Rule 60 Motion in Opp. to Orders 2014, 2015 & SJM (link)
- GLA Motion to Dismiss 12-21-2016 (link)
- GLA Brief in Support of Motion to Dismiss 12-21-16.pdf(link)

2016 Filing – DA-16-0530

- Appeal Dismissal, MT Supreme Court (link)

2017 Filings – DV-2011-114

- 5_OConnell Motion for Extension to file Answer to GLA Dismissal Motion 1-5-17 (link)

DV-2012-164 and DV-2012-220

Note: The District Court has ruled in favor of the GLA on all issues, and the O'Connells appealed to the Supreme Court. On December 3, 2013, the Supreme Court also ruled in the GLA's favor on all of the issues.

On January 7, 2014 the Supreme Court denied the O'Connell's request for rehearing, putting this case to rest.

Originally 2 separate cases, which were later combined into 1 case.

Issues:

1. Minnick Management being hired as an agent
2. Erickson's Variance Project
3. Guesthouse Assessments
4. Voting Practices

Documents are listed in chronological order.

- 01 Plaintiffs Affidavit in Support of Writs of Prohibition & Mandamus 9-24-12 (link)
- 02 Notice of Petition & Petition for Writs of Mandamus and Prohibition 9-24-12 (link)
- 03 Response to Writ of Prohibition and Writ of Mandamus 10-15-12 (link)
- 04 Summons to GLA Board to Answer Petition 10-22-12 (link)
- 05 Petition for Temporary & Permanent Restraining Order 10-22-12 (link)
- 06 Affidavit in Support of Restraining Order 10-22-12 (link)
- 07 Motion to Move for Improper Venue and Motion to Dismiss for

- Failure to State a Claim and Brief 11-6-12 ([link](#))
- 08 Affidavit in Support Motion to Move for Improper Venue and Motion to Dismiss 11-1-12 ([link](#))
- 09 Plaintiff's Reply to GLA Temporary Restraining Order Motions (TRO) 11-16-12 ([link](#))
- 10 Motion and Notice to Remove Other Members 11-16-12 ([link](#))
- 11 Notice and Consent to Substitution of Counsel Park County 11-26-12 ([link](#))
- 12 Notice and Consent of Substitution of Counsel Gallatin County 11-26-12 ([link](#))
- 13 Defendants' Reply Brief in Support of Its Motion to Dismiss for Failure to State Claim ([link](#))
- 14 Defendants' Reply Brief in Support of Its Motion to Change Venue ([link](#))
- 15 Plaintiff's Notice Resolving Venue Change ([link](#))
- 16 Plaintiff's Motion for Declaratory Judgment & Notice to Join TRO 12-4-12 ([link](#))
- 17 Defendants' Submission of Proposed Venue Change Order ([link](#))
- 18 Order to Change Venue ([link](#))
- 19 Defendant's Response to Ps' Motion for Dec Judgment & Notice to Join TRO & Affidavit ([link](#))
- 20 Defendants Submission of Proposed Order 12-27-12 ([link](#))
- 21 Order on Plaintiffs' Motion for Declaratory Judgment & TRO 12-27-12 ([link](#))
- 22 Motion Reply for Declaratory Judgment & Notice to Join TRO 12-28-12 ([link](#))
- 23 Proposed Order for Declaratory Motion ([link](#))
- 24 Order on Plaintiffs' Motion for Dec Judgment & Notice to Join TRO 1-3-13 ([link](#))
- 25 Order Regarding Motions to Dismiss 1-9-13 ([link](#))
- 26 Defendants' Answer and Affirmative Defenses 1-17-13 ([link](#))
- 27 Motion for Summary Judgment & Motion to Enjoin Cases ([link](#))
- 28 Appeal for Orders Regarding Declaratory Motion & Joinder ([link](#))
- 29 Reply to Defendants Answer To TRO Complaint & Motion to Strike 2-1-13 ([link](#))
- 30 Motions for Sanctions Against GLA Defendant' Council 2-1-13 ([link](#))
- 31 Motions for Sanctions Against GLA Defendant' Council 2-1-13 ([link](#))
- 32 Defendants' Response to Plaintiffs' Motion to Join Cases 2-6-13 ([link](#))
- 33 Plaintiffs Motion Reply Re Relief of Orders Regarding Declaratory Motion 2-8-13 ([link](#))
- 34 Defendants' Response in Opposition to Plaintiffs' Motion for Summary Judgment & Brief in Support of Cross-Motion for Summary Judgment 2-11-13 ([link](#))
- 35 Defendants' Cross Motion for Summary Judgment 2-12-13 ([link](#))
- 36 Defendants' Response in Opposition to Plaintiffs' Reply to Defendants' Answer to TRO Complaint & Motion to Strike 2-13-13 ([link](#))
- 37 Defendants' Response in Opposition to Plaintiffs' Motion for Sanctions Against GLA Defendants' Council 2-13-13 ([link](#))
- 38 Plaintiffs Joinder Motion Response 2-19-13 ([link](#))
- 39 Order Ruling on Pending Motions 2-22-13 ([link](#))
- 40 Affidavit in Support Summary Judgment Motion Reply & Discovery 2-24-13 ([link](#))
- 41 Summary Judgment Motion Replies & Motion for Hearing & Discovery 2-25-13 ([link](#))
- 42 Reply for Sanction Motion 3-4-13 ([link](#))
- 43 Defendants' Reply Brief in Support of its Cross-Motion Summary

[Judgment 3-15-13 \(link\)](#)

[44 Plaintiffs' Motion Response for Hearing & Discovery 3-22-13 \(link\)](#)

[45 Proposed Order Granting Plaintiffs Summary Judgment & Discovery 3-22-13 \(link\)](#)

[46 Reminder of Summary Judgment Motion 5-24-13 \(link\)](#)

[47 Order Re-Setting Oral Arguments 5-28-13 \(link\)](#)

[48 District Court Minutes 5-28-13 \(link\)](#)

[49 Plaintiffs Oral Summary DV-12-164 6-5-13 \(link\)](#)

[49a Plaintiffs' Table of Authorities & Notes DV-12-164 \(link\)](#)

[50 District Court Minutes 6-5-13 \(link\)](#)

[51 Defendants' Motion for Leave to Respond to Plaintiffs' Oral](#)

[Summary and Table of Authorities 6-12-13 \(link\)](#)

[52 Defendants' Response to Plaintiffs' Oral Summary & Table of Authorities & Notes 6-12-13 \(link\)](#)

[53 Partial Response to Defendants' Motion for Leave Opposing Oral Hearing Docs 6-13-13 \(link\)](#)

[54 Order on Plaintiffs' Motion for Summary Judgment & Defendants' Cross Motions for Summary Judgment 6-19-13 \(link\)](#)

[55 Rule 60 Relief from Judgment & Motion for Jury Trial 6-24-13 \(link\)](#)

[57 Order on Plaintiffs' Rule 60 Relief from Judgment & Motion for Jury Trial 6-26-13 \(link\)](#)

[58 Plaintiffs' Notice of Appeal 6-28-13 \(link\)](#)

[59 Notice of Filing 7-1-13 \(link\)](#)

[60 Entry of Judgment 7-3-13 \(link\)](#)

[61 Plaintiffs' Notice of Appeal 6-28-13 \(link\)](#)

[62 Notice of Filing Appeal 7-1-13 \(link\)](#)

[63 Notice of Filing District Court Record 7-26-13 \(link\)](#)

[64 Notice of Filing District Court file in Supreme Court 8-9-13 \(link\)](#)

[65 Plaintiffs' Appellants' Supreme Court Reply Brief 8-26-13 \(link\)](#)

[66 Appellees Answer Brief \(link\)](#)

[67 Plaintiffs' Appellants' Supreme Court Reply Brief 10-9-13 \(link\)](#)

[68 Order – Classified – Five Justice Panel \(link\)](#)

[69 Chief Justice Mike McGrath delivered the Opinion of the Court \(link\)](#)

[70 Appellants' Petition for Rehearing 12-13-13 \(link\)](#)

[71 Appellees' Objections to O'Connells' Petition for ReHearing 12-27-13 \(link\)](#)

[72 Order – Deny-Petition for Rehearing \(link\)](#)

DV-2011-193

- [DV-2011-193 Pro Se Complaint 11-10-2011 \(link\)](#)
- [DV-2011-193 Stipulated Settlement Agreement \(link\)](#)

From: Val valoc@me.com
Subject: Fwd: Official legal complaint
Date: June 11, 2021 at 12:58 PM
To: reece@reecelawmt.com



Date: June 11, 2021
To: GLA Council Jenifer Reece
From: Valery O'Connell
Re: Request to join GLA Lawsuit (DV 21-52) as it relates to O'Connell Demand letter (below)

This letter is a formal request to file a joinder motion to be a party to the GLA lawsuit (DV 21-52), which will save the GLA from having to deal with a separate related lawsuit issue-namely gaining control of such GLA website in order to amend it for the related purpose to correct the GLA website (see demand letter listed below).

Please contact me by June 15, 2021 if you approve (or not) of me filing a joinder motion in this case for this purpose. If I do not hear back from you by Tuesday the 15th, I will assume you do not object to this joinder motion and will proceed accordingly.

Sincerely,
Val O'Connell
(406) 577-6339
PO Box 77
Emigrant, MT. 59027
valoc@me.com

Begin forwarded message:

From: Daniel O'Connell <dko@me.com>
Subject: Official legal complaint
Date: June 7, 2021 at 12:49:09 AM MDT
To: GLA email Box <info@glamontana.org>

Date: June 6, 2021
To: GLA Board of Directors
From: Val O'Connell
Re: Demand letter to cease, desist, and remove partial court records involving O'Connells as published on the GLA website

It has come to my attention that you have published partial court records about O'Connells on the GLA website homepage and every link. These partial court pleadings published on the GLA website show an arbitrary, and capricious account of only a few court pleadings that are incomplete and/or outdated (thus inaccurate). GLA website also omits many landowner cases that are not favorable to the GLA and has never published or deliberately omits court pleadings favorable to O'Connells.

For example, the GLA website has never published court pleadings that were unfavorable to the GLA; such as the recent O'Connell Federal bankruptcy case and foreclosure state cases that the GLA opposed and lost in both cases. Not to mention the fact that O'Connell restraining order expired last year (2020) and thus no longer applicable. Plus, the GLA has never published other landowners court records whom have sued the GLA—such as Stone, Seaver, etc.. This is, in effect, evidence that the GLA has no legitimate public concern to publish true and accuracy court records, but instead publish only a few records that results in embarrassment, humiliation or offensive against a few landowners -including O'Connells; which court records were all published without O'Connells' permission, and incomplete outdated and thus unlawful appropriation of another's image or else an intrusion into our solitude, seclusion or private life in a manner that would be considered highly offensive to a reasonable person.

These court records being one-sided against us, and incomplete and outdated, are thereby a false or inaccurate accounting of the full court records; which is an invasion of our privacy for being placed in such a false light in the public eye. Therefore for these reasons causing us emotional distress, and in violation our privacy or Constitutional rights, and more, we demand that the GLA Board remove all court records with our family name on them. Failure to comply with this official complaint request within 14 days of this letter will constitute grounds for legal action against the GLA Board and Association.

Sincerely,

Val O'Connell
Lot 5C NG
PO Box 77
Emigrant, MT. 59027
dko@mac.com
(406) 577-6339

Exhibit 2
Exhibit 3