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8

9 MONTANA FIRST JUDICIAL DISTRICT COURT,
LEWIS AND CLARK COUNTY

10
11 ROBERT BAXTER, STEVEN STOELB,)
STEPHEN SPECKART, M.D., C. PAUL)
12 LOEHNEN, M.D., LAR AUTIO, M.D.,)
GEORGE RISI, JR., M.D. and)
13 COMPASSION & CHOICES,)

14 Plaintiffs,)

15 v.)

16 STATE OF MONTANA and MIKE)
MCGRATH, ATTORNEY GENERAL,)

17 Defendants.)
18

Judge: Dorothy McCarter
Cause No. DV 2007-787

PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

19 COME NOW the plaintiffs, by and through counsel, and pursuant to Rule 56, M.R.Civ.P.
20 hereby move the Court for summary judgment in their favor on all claims raised by their
21 Complaint, while reserving the issue of the recoverability of attorneys' fees for a later date. This
22 motion is made upon the grounds and for the reasons set forth in Plaintiffs' Brief in Support of
23 Motion for Summary Judgment filed contemporaneous herewith, the accompanying affidavits
24 and other supporting documents, and no genuine issue remaining as to any material fact and the

1 moving parties being entitled to judgment as a matter of law.

2 DATED this 1st day of July, 2008.

3 CONNELL LAW FIRM

4 By: 
5 Mark S. Connell

6 Kathryn Tucker, Esq.
7 Compassion & Choices

8 Attorneys for Plaintiffs


9
10 **CERTIFICATE OF SERVICE**

11 I, Marie Hartig, legal assistant of the Connell Law Firm, do hereby state that on this date, I
12 served a true and correct copy of the foregoing document upon the individual listed below, via the
13 following means:

13 Jennifer Anders
14 Anthony Johnstone
15 Attorney General's Office
16 PO Box 201401
17 Helena, MT 59620-1401

U.S. Mail
 Facsimile
 Certified Mail
 Hand Delivery

18 Dated this 1ST day of July, 2008.

19 
20 Marie Hartig, Legal Assistant