

CLERK OF THE
DISTRICT COURT
TERRY HALPIN

139

2022 JUL 27 P 4: 20

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY
FILED

GARY McDANIEL, SUSAN McDANIEL, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

-v-

CITY OF BILLINGS,

Defendant.

Cause No. DV 19-14447

DEPUTY

PARTIAL SUMMARY JUDGMENT

**COUNT II – BREACH OF
SUBDIVISION AGREEMENTS**

On July 19, 2022, the Court entered a Decision and Order on the Motion of the City of Billings for Summary Judgment on Count II – Breach of Subdivision Improvements Agreements under Mont. R. Civ. P. 56. Ct. Doc. 133. The Court granted the City’s Motion in part and denied the Motion in part. Based upon the Court’s Decision and Order, the Court enters the following:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. Gary McDaniel’s claims against the City are DISMISSED and Gary McDaniel is DISMISSED as a party to the present litigation. Future pleadings in this case shall contain the following in its caption:

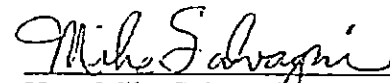
SUSAN McDANIEL, on behalf of herself
and all others similarly situated,

Plaintiff,

2. The Clerk of the District Court shall change the caption of this case as set forth in paragraph 1 above.

3. Under Rule 54 Mont. R. Civ. P., this is not a final judgment.

Dated July 27, 2022.

A handwritten signature in cursive script that reads "Mike Salvagni". The signature is written in black ink and is positioned above a horizontal line.

Hon. Mike Salvagni
Presiding Judge

cc: Matthew G. Monforton
Doug James
Bryce Burke