
REGISTER OF ACTION

IN THE SUPREME COURT OF THE STATE OF MONTANA

Case Number: 98-066 **CLOSED** 11/12/99

Records checked out to:

Fee: \$No Fee

Paid:

Due:

Date:

By Whom:

Title of Case:

JAMES H. ARMSTRONG, M.D.; SUSAN CAHILL, P.A.; BARBARA POLSTEIN, D.O.; MINDY OPPER, P.A.; and BLUE MOUNTAIN CLINIC, on behalf of the themselves and their patients throughout Montana, the surrounding states and Canada, Plaintiffs and Respondents,

vs

THE STATE OF MONTANA; and JOSEPH P. MAZUREK, in his official capacity as Attorney General for the State of Montana and his agents and successors, Defendants and Appellants.

Type of Appeal: Civil - Declaratory Judgment

Appellants Attorneys:

HON JOSEPH P MAZUREK ATTORNEY GENERAL
CLAY R SMITH SOLICITOR
215 NORTH SANDERS
HELENA MT 59620
Information:

Respondents Attorneys:

JANET BENSHOOF SIMON HELLER
JULIE F KAY
CENTER FOR REPRODUCTIVE LAW & POLICY
120 WALL STREET
NEW YORK NY 10005
Information: (212) 514-5534

BRUCE MEASURE ESQ
LAW OFFICES OF AMBROSE MEASURE
BOX 918
KALISPELL MT 59903-0918
Information: 752-6373

Amicus Attorneys:

LANCE LOVEL
JOSEPHSON & FREDRICKS
BOX 1047
BIG TIMBER MT 59011-1047
Information: 932-5440 (Mont Right to Life Assn)

Date Appeal Notice Filed: 12/28/97

Date of Judgment Order: 11/26/97

District Court Case Number: BDV 97-627

Judicial District: First

County: Lewis and Clark

Judge: Jeffrey Sherlock

<u>DATE</u>	<u>REGISTER OF ACTION</u>	<u>ID</u>
02/02/98	District Court Record Filed. (1 accordian file containing 1 manilla file folder and a group of loose bound papers-Attachments)	dg
02/09/98	Motion for extension of time.	ka
02/10/98	Order granting appellants until April 6, 1998 to file their brief.	dg
04/06/98	Brief of Amicus Curiae. (MT Right to Life Assoc.in Support of State of MT)	ka
04/07/98	Consent to filing of amicus curiae brief.	ka
04/07/98	Appellant's brief filed.	ka
04/22/98	Motion for enlargement of time.	kh
04/22/98	Order granting respondents until June 9, 1998, to file a brief.	kh
06/08/98	Motion for enlargement of time.	jh
06/09/98	Order granting respondent until June 16, 1998, to file an opening brief.	kh
06/16/98	Respondent's brief filed.	ka
06/26/98	Motion for enlargement of time.	ka
06/30/98	Order granting appellants until August 3, 1998 to file a reply brief.	dg

<u>DATE</u>	<u>REGISTER OF ACTION</u>	<u>ID</u>
07/29/98	Reply brief filed. SENT TO COURT.	
08/13/98	Order; Classified for oral argument before the Court sitting en banc. To appear on future calendar.	ka
08/14/98	Order; Oral Argument set for Thurs., Oct. 15, 1998, at 2:00 pm.	jh
10/05/98	Notice of additional authority. copies to Court.	jh
10/15/98	Oral argument presented: Clay R Smith argued for Appellant; Bruce Measure motioned the Court for Simon Heller of New York to present the argument for respondent.	jh
02/02/99	Received and filed copies of the opinion in <u>New Mexico Right to Choose V. Johnson</u> . copies to Court.	jh
10/26/99	OPINION: Nelson, affirmed; Turnage, Trieweler, Leaphart, Hunt and Regnier concur; Gray specially concurs with Turnage joining in.	dg
11/12/99	Remittitur issued. District Court record returned.	dg
CLOSED		