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ATTORNEYS FOR DEFENDANT A.W.A.R.E., INC.,
ON BEHALF OF CASTLE PINES GROUP HOME

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

* * * * *

AMBER J. WILLIAMS,)	CV 20-00023-H-DLC-JTJ
)	
Plaintiff,)	DEFENDANT A.W.A.R.E.,
vs.)	INC.'S REPLY BRIEF IN
)	SUPPORT OF MOTION FOR
CANDICE OSTERMAN, et al.,)	MORE DEFINITE
)	STATEMENT
Defendants.)	

* * * * *

On September 11, 2020, Defendant Castle Pines Group Home, owned and operated by A.W.A.R.E., Inc. (collectively referred to as "AWARE"), moved this Court for a more definite statement pursuant to Fed. R. Civ. P. 12(e). (Docs. 19-20.) The fourteen-day deadline has passed, and Plaintiff has not filed a response to AWARE's motion. See Local Rule 7.1(d)(1)(B)(ii). As

a result, AWARE respectfully requests the Court deem its Fed. R. Civ. P. 12(e) motion well-taken pursuant to Local Rule 7.1(d)(1)(B)(ii). As demonstrated by the opening brief, because Plaintiff's Complaint is ambiguous such that AWARE cannot ascertain the nature of the claims being asserted against it, a more definite statement is necessary to formulate a response.

For the Court's convenience, a proposed order is attached hereto as Exhibit A.

DATED this 22nd day of October, 2020.

CHRISTENSEN & PREZEAU, PLLP

By: /s/Kate McGrath Ellis
Kate McGrath Ellis
314 N. Last Chance Gulch, Suite 300
Helena, MT 59601

**ATTORNEYS FOR DEFENDANT A.W.A.R.E., INC.,
ON BEHALF OF CASTLE PINES GROUP HOME**

CERTIFICATE OF SERVICE L.R.5.2(b)

I hereby certify that, on _____ day of October, 2020 the forgoing **DEFENDANT A.W.A.R.E., INC.'S REPLY BRIEF IN SUPPORT OF MOTION FOR MORE DEFINITE STATEMENT** was served upon the following persons by the following means:

- 1 CM/ECF
- _____ Hand Delivery
- 2 - 4 Mail
- _____ Overnight Delivery Service
- _____ Fax
- _____ E-Mail

- 1. Clerk, U.S. District Court
- 2. Amber J. Williams
P.O. Box 6871
Helena, MT 59604
- 3. Craig D. Charlton
SMITH LAW FIRM, P.C.
26 W. Sixth Avenue
P.O. Box 1691
Helena, MT 59624
- 4. Elizabeth L. Hausbeck
Leah T. Handelman
GARLLINGTON LOHN &
ROBINSON, PLLP
350 Ryman Street
P.O. Box 7909
Missoula, MT 59807-7909

/s/ Lori Caplis
Lori Caplis

CERTIFICATE OF COMPLIANCE

This is to certify that the foregoing brief, excluding the caption, certificate of service and compliance, contains 126 words.

DATED this 22nd day of October, 2020.

CHRISTENSEN & PREZEAU, PLLP

By: /s/Kate McGrath Ellis
Kate McGrath Ellis
314 N. Last Chance Gulch, Suite 300
Helena, MT 59601

**ATTORNEYS FOR DEFENDANT A.W.A.R.E., INC.,
ON BEHALF OF CASTLE PINES GROUP HOME**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
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* * * * *

AMBER J. WILLIAMS,)	CV 20-00023-H-DLC-JTJ
)	
Plaintiff,)	ORDER
vs.)	
)	
CANDICE OSTERMAN, et al.,)	
)	
Defendants.)	

* * * * *

Defendant Castle Pines Group Home, owned and operated by A.W.A.R.E., Inc. (collectively referred to as "AWARE"), filed a Motion for a More Definite Statement pursuant to 12(e). (Docs. 19-20.) Plaintiff did not file a response brief within the fourteen-day time period provided in Local Rule 7.1(d)(1)(B)(ii). In accordance with Local Rule 7.1(d)(1)(B)(ii), AWARE's motion is well-taken.

IT IS HEREBY ORDERED that AWARE's motion is GRANTED. It is further ordered that Plaintiff provide a more definite statement showing she is entitled to relief from Defendants in accordance with the defects AWARE pointed out in its brief in support of its motion. Plaintiff must re-file her Complaint within 14 days of the date of this Order in accordance with Fed.

R. Civ. P. 12(e). Failure to do so may result in the Court striking the complaint. *See id.*

DATED this _____ day of October, 2020.

John Johnston, U.S. Magistrate

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

* * * * *

AMBER J. WILLIAMS,)	CV 20-00023-H-DLC-JTJ
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Plaintiff,)	ORDER
vs.)	
)	
CANDICE OSTERMAN, et al.,)	
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DATED this _____ day of October, 2020.

John Johnston, U.S. Magistrate