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Attorney for Plaintiffs

**MONTANA FIFTH JUDICIAL DISTRICT COURT, MADISON
COUNTY**

<p>John Christian and Tamara Christian Plaintiffs</p> <p>v.</p> <p>LONESOME DOVE RANCH HOMEOWNERS ASSOCIATION, INC., David LaClair, David Black, Cassidy Straszewski, Tom Hardeman, Phil Hammond and David Black as Trustee of David L. Black Family Trust and Estate of Glen Schroeder, Jean Schroeder, and John Does 1-x Defendants</p>	<p>Cause No. DV-29-2022-0000083-NE</p> <p>PLAINTIFF'S ANSWERS TO DEFENDANT'S REQUESTS FOR ADMISSION</p>
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GENERAL OBJECTIONS AND COMMENTS

1. To the extent the discovery requests propounded by the Requester seeks to impose any obligation upon Responder beyond those imposed by the Montana Rules of Civil Procedure, Responder objects.
2. Responder objects to the discovery requests propounded by the Requester to the extent they call for information covered by the attorney-client privilege, the work product doctrine or any other applicable privilege or immunities afforded them by the Montana Rules of Civil Procedure,

the Constitution of the State of Montana, the Constitution of the United States, and applicable Montana statutes and cases.

3. Responder's production of documents in response to these Requests, shall not be deemed to waive any claim of privilege or immunity Responder may have as to any response, document or thing, or any question or right of objection as to competency, relevancy, materiality, or admissibility, or any objection Responder may have as to a demand for further response to these or other requests.
4. These Answers and Responses reflect Responder's present knowledge, information and belief, and may be subject to change or modification based on Responder's further discovery, or on facts or circumstances which, in the future may come to Responder's knowledge. Responder reserves the right to modify or supplement their Answers and responses as allowed by the Montana Rules of Civil Procedure.
5. These Objections and Responses, and the production of any documents pursuant to Rule 34 of the Montana Rules of Civil Procedure, are subject to and without waiver of: (a) the right to object to other discovery directed to the subject matter of the requests; (b) the right to make additional or supplementary objections; and (c) the right to revise, correct, supplement or clarify these Answers and Responses in accordance with the Montana Rules of Civil Procedure.

Each and every one of the foregoing General Objections and Comments are by this reference included verbatim in each and every response and/or objection hereafter set forth with respect to the specific requests. Insertion of a specific objection in the response to any request shall not be construed as a waiver of such.

REQUEST FOR ADMISSION NO.1: Please admit that the underlying lawsuit (Montana Fifth Judicial District Court, Madison County Cause No. DV-29-2021-86) was dismissed without a decision on the merits.

RESPONSE: Deny and affirmatively allege as follows. In that case the plaintiffs there were denied their requests for a temporary restraining order, preliminary injunction, and permanent injunction. Moreover the case was dismissed with prejudice which is equivalent to a decision on the merits.

Because it was dismissed with prejudice, the plaintiffs there can never bring those claims against us again. Thus the dismissal with prejudice is the same as a dismissal on the merits. The prior list is without limitation.

REQUEST FOR ADMISSION NO.2: Please admit that you have no evidence of defendant Straszewski poisoning your dog, throwing rocks down your well, or wiring a “For Sale” sign to your gate.

RESPONSE: Deny and affirmatively allege as follows. The defendant had many opportunities and the motive to perform every one of these acts. Her testimony at the hearing portrayed a vindictive intent which is consistent with these actions.

During the time in question she was regularly taking care of David Black whose property is adjacent to mine. The rumor is that she was having an illicit relationship with Mr. Black. Thus she had ample time to perform these actions.

She is also close friends with Jean Schroeder and visits her often. The Schroeder property is adjacent to ours as well. Thus she had ample time to perform these acts. Circumstantial evidence is just as persuasive as direct evidence. The prior list is without limitation.

REQUEST FOR ADMISSION NO.3: Please admit that defendant Straszewski's Sworn Petition for Temporary Order of Protection (Case No. CV-565-202-42) was not prosecuted against you.

RESPONSE: Deny and affirmatively allege as follows. It was prosecuted against me in that it was filed and a praecipe was signed by the defendant for service upon me. The Judge served me with the order denying me petition. These actions, without limitation, reflect her intent to prosecute the case against me. The prior list is without limitation.

REQUEST FOR ADMISSION NO.4: Please admit that you suffered no damage from the filing of Defendant Straszewski's Sworn Petition for Temporary Order of Protection (Case No. CV-565-202-42)

RESPONSE: Deny and affirmatively allege as follows. My family suffered severe emotional distress when we learned about this latest attack by the defendant against us. Also, there was false gossip, false rumors, and slander circulating about my family as a result of this lawsuit. Moreover, the petition contained many libelous statements.

We have greatly feared for the safety of our daughter. I have greatly feared for the safety of my wife. The above list is without limitation.

INTEROGATORY NO. 1: If you denied any of the above Requests for Admission, please state each and every fact that you rely on in support of your denial and provide the name and address of every witness you believe has knowledge supporting your denial, describe what knowledge you believe each witness has, and provide a description of all evidence you rely upon in support of your denial.

RESPONSE: See above answers.

Dated this ____ day of _____ 2023

As to objections

Terry F. Schaplow
Plaintiff's lawyer

VERIFICATION

STATE OF MONTANA)

:SS

County of Gallatin)

I, John Christian, being first duly sworn, upon oath, deposes and states that I have read the foregoing **PLAINTIFF'S ANSWERS TO DEFENDANT'S REQUESTS FOR ADMISSIONS** and know the contents thereof; that the responses were prepared with the assistance and advice of counsel; that I relied upon the aforementioned assistance, and that some of the information contained herein is accordingly outside the scope of my personal knowledge; that the responses set forth herein, subject to inadvertent or undiscovered errors, are based on, and are therefore necessarily limited by the records and information still in existence, presently collected and thus far discovered in the course of the preparation of these responses. Consequently, I reserve the right to make any changes in the responses if it appears at any time that omissions or errors have been made therein or that more accurate information is available; and that subject to the limitations set forth herein, the responses are true to the best of my knowledge, information and belief.

Dated this 29th day of January, 2023

By: _____
John Christian

SUBSCRIBED AND SWORN THIS 29th day of January, 2023

(SEAL)

Printed name: _____

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served on the following individuals by the designated means on the 30th day of January, 2023.

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