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Attorneys for Defendants Johnson, Dial, Curtis, Conway, Erickson, Garner,  
Stearns, Kelch and Muhfeld

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

CANDI-LEE WEEKS,

Plaintiff,

v.

BRADLEY F. JOHNSON; BILL DIAL;  
KRISTI CURTIS; KEVIN CONWAY;  
SHANE ERICKSON; CHASE GARNER;  
CHUCK STEARNS; BRIDGER KELCH;  
JOHN MUHFELD; BILL HILL; and BRIAN  
CARTER.

Defendants.

Cause No: CV-16-161-DLC-JCL

RESPONSE BRIEF OF  
DEFENDANTS JOHNSON,  
CURTIS, CONWAY, ERICKSON,  
GARNER, KELCH, STEARNS,  
DIAL AND MUHFELD TO  
PLAINTIFF'S MOTION TO  
AMEND COMPLAINT

Come now Defendants Johnson, Curtis, Conway, Erickson, Garner, Stearns,  
Kelch, Dial and Muhfeld and respond to Plaintiff's Motion to Amend Complaint as  
follows:

**DISCUSSION**

Plaintiff's Motion to Amend Complaint should not be granted. The Motion does not materially or substantively change the allegations or theories of the Complaint. The same theories are pleaded. Because there are no material or substantive changes, Plaintiff's Motion should not be granted, and Defendants' Motion to Dismiss and Brief in Support to dismiss Plaintiff's Complaint should still be considered and granted by the Court.

Alternately, if the Court chooses to grant Plaintiff's Motion to Amend Complaint, it should not require these Defendants to re-file their Motion to Dismiss and Brief in Support. Defendants' Motion and Brief were and are properly before the Court.

Dated this 27th day of March, 2017.

HAMMER, QUINN & SHAW, PLLC

/s/ Todd A. Hammer

Todd A. Hammer

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Attorneys for Defendants Johnson, Dial, Curtis,  
Conway, Erickson, Garner, Stearns, Kelch and  
Muhfeld James Garcia

**CERTIFICATE OF SERVICE**

I certify that on March 27, 2017, a copy of the foregoing document was served on the following persons by the following means:

- CMF/ECF
- Hand delivery
- Mail
- Overnight delivery service
- Fax
- E-mail.

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/s/ Todd A. Hammer \_\_\_\_\_  
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