

---

Leslae J. E. Dalpiaz, P.C.  
Attorney at Law

---

June 8, 2017

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Judge David Sandler

Dear Judicial Nomination Commission:

I am writing to nominate David Sandler to continue his current position as the Judge of the Montana Workers' Compensation Court. By way of introduction I am a solo practitioner who deals exclusively with workers' compensation cases. Based on my experience of practicing in front of Judge Sandler and my admiration for the same, the purpose of this letter is to urge you to reappoint Judge Sandler.

Judge Sandler possesses an exceptional legal mind and an ability to grasp the issue quickly. He is not one to stand on pomp and circumstance. His decisions are easily decipherable by a lay person and frankly very enjoyable to read. I often provide copies of his decisions in correspondence to my clients knowing that they could understand what the Court had decided and decipher why. I believe this is because Judge Sandler understands that he is not simply writing decisions to be read by attorneys, but instead for anyone who is part of the judicial process. The fact that Judge Sandler has not lost touch with the people who are affected by his decisions is one of the most important qualities that he possesses.

Judge Sandler is also diligent, hardworking, thoughtful and when appropriate, very humorous. He has no tolerance for unprofessional conduct or grandstanding and is a fine judge of character and credibility.

I thank you for your consideration of Judge Sandler and for your service on the Commission. Please feel free to call me if you have any questions or require additional information.

Sincerely,

  
Leslae J. E. Dalpiaz

LJED/ag

# LINNELL, NEWHALL, MARTIN & SCHULKE, P.C.

NORMAN L. NEWHALL  
RICHARD J. MARTIN  
J. KIM SCHULKE  
STACY TEMPEL-ST. JOHN  
MICHELE REINHART LEVINE

WAYNE E. LINNELL  
Of Counsel

Attorneys at Law  
120 – 1st Avenue North  
P.O. Box 2629  
Great Falls, MT 59403  
(406) 454-5800  
1-800-732-2451 (Montana only)  
FAX (406) 454-8000  
Home page: [www.lnms.net](http://www.lnms.net)

*PARALEGAL STAFF:*  
DAN BENNETT  
BRENDA McGEE  
MEGAN MILLER  
WENDY FISHER  
KRISTI NATALIE  
*OFFICE MANAGER:*  
TAMMY TURNER

OUR FILE MI103-001

June 9, 2017

Judicial Nominations Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Dear Judicial Nomination Commission:

I am pleased to write this letter of recommendation on behalf of Hon. David Sandler, candidate for reappointment to the Montana Workers' Compensation Court.

I have known Judge Sandler for over 12 years and have had the privilege of working with him both as a workers' compensation defense attorney and as a workers' compensation claimant's attorney. Having worked with Judge Sandler in both capacities, I can honestly say Judge Sandler is one of the hardest working and most professional attorneys that I have ever had the pleasure to work with.

Judge Sandler is distinctively qualified for this position because of his unique perspective in having practiced workers' compensation in Montana on both sides of a workers' compensation claim. Regardless of which side of the aisle he stood, I always found Judge Sandler to be open-minded, articulate, and well-reasoned. I have always been impressed by his command of the Montana Workers' Compensation Act, familiarity with the issues and efforts to reach a just result. I also know Judge Sandler to be fair and honest, making him a tremendous asset to the Court. Having appeared before him in the court, these attributes are forefront and his professionalism is second to none.

I respect Judge Sandler's professional qualifications and believe he is extremely qualified for the reappointment. Judge Sandler would be an outstanding choice for reappointment as the Montana Workers' Compensation Court Judge.

Sincerely,



Stacy Tempel-St. John  
[ssjohn@lnms.net](mailto:ssjohn@lnms.net)  
(406) 454-5814

STS/

# RUSS PLATH LAW

R. RUSSELL PLATH  
HAYLEY KEMMICK  
PAUL W. ADAM

406.534.4177 O  
406.534.6717 F  
RUSS@RUSSPLATHLAW.COM

2624 MINNESOTA AVE  
P.O. BOX 1337  
BILLINGS, MT 59103-1337

June 12, 2017

Judicial Nomination Committee  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59600-3005

Application of David Sandler for Re-Appointment as the  
Montana Workers' Compensation Court Judge

Dear Ms. Menzies:

I am writing in support of the application of David Sandler for his continued appointment as the Montana Workers' Compensation Court Judge. I have practiced in front of Judge Sandler since his original appointment as the Montana Workers' Compensation Judge. During my representation of clients before Judge Sandler I have found him to be a very efficient, practical and fair judge. The circumstances of the clients I represent can be especially difficult, Judge Sandler has gone out of his way to bring resolution to disputes in the quickest manner possible. Judge Sandler's guidance and rulings on these issues is very compassionate and well informed and well-reasoned. I give my highest recommendation of Judge Sandler for his continued appointment as the Montana Workers' Compensation Court Judge.

Judge Sandler's attitude from the bench is open and respectful to the parties before him. His judicial demeanor goes a long way towards instilling judicial confidence in his decisions. His written decisions are very thorough, well researched and well written. These judicial skills instill a sense to the litigants that their case has been fully considered and the rendered decision is fair.

Judge Sandler has several qualifications for this position. He has solid judicial experience and exhibits sound judicial temperament. He is well versed in the area of workers' compensation practice and applies excellent legal scholarship to his written opinions. Judge Sandler's law practice prior to his appointment as the workers' compensation judge was a varied and encompassed a wide variety of issues addressed by our judicial system. In my opinion Judge Sandler is uniquely qualified for reappointment as the Montana Workers' Compensation Court Judge.

# RUSS PLATH LAW

R. RUSSELL PLATH  
HAYLEY KEMMICK  
PAUL W. ADAM

406.534.4177 O  
406.534.6717 F  
RUSS@RUSSPLATHLAW.COM

2624 MINNESOTA AVE  
P.O. BOX 1337  
BILLINGS, MT 59103-1337

Thank you for your consideration of this Comment.

Best



R. Russell Plath



Hayley Kemmick



Paul W. Adam

**BULMAN LAW ASSOCIATES, P.L.L.C.**

416 East Pine Street  
P.O. Box 8202  
MISSOULA, MT 59807-8202  
(406) 721-7744  
(406) 728-9362 (FAX)

ATTORNEYS AT LAW

THOMAS C. BULMAN  
ERIC RASMUSSEN  
BRADLEY J. JONES

June 14, 2017

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P. O. Box 203005  
Helena, MT 59620-3005

**Re: Reappointment of Workers' Compensation Court Judge David M. Sandler**

Dear Judicial Nomination Commission:

Please let this letter serve as my favorable recommendation for reappointment of the Hon. David M. Sandler to the Montana Workers' Compensation Court.

My practice is limited to certain areas including workers' compensation claims. When he was in private practice Judge Sandler enjoyed an excellent reputation as defense counsel and as a workers' compensation claimant's attorney. I have appeared before Judge Sandler numerous times after he was elevated to the bench. He has served well. He is diligent as witnessed by his ability to issue his Opinions and Orders in a timely manner. As can be expected I have not agreed with all of his decisions but they always reflect his command of the Workers' Compensation Act, precedent established by his predecessors, and precedent established by the Montana Supreme Court. He also understands the complicated medical issues presented by these cases.

Furthermore he has consistently exhibited the appropriate judicial temperament one comes to expect from a judicial officer in the State of Montana. For example I have never walked away after a hearing in front of Judge Sandler with the belief that he did not fully consider my client's position or that he was unfair.

In summary I highly recommend that Judge Sandler be reappointed by Governor Bullock as the Montana Workers' Compensation Court Judge.

Sincerely,

  
Eric Rasmusson  
Attorney at Law

ER/sm



June 15, 2017

Judicial Nominations Committee  
Office of Court Administrator  
Attn: Lois Menzies  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Worker's Compensation Judicial Application

Dear Sir or Madam:

I would like to register my support for Dave Sandler's application for reappointment as the Workers' Compensation Judge for the State of Montana. I have had an opportunity to review the decisions of the Judge up to this point in time and believe he has been and will continue to be fair to all parties that have disputes that get decided in the Workers' Compensation Court.

Sincerely,

GRAVES & TOENNIS, P.C.

Paul E. Toennis  
*Attorney at Law*  
[paul@gtqlaw.com](mailto:paul@gtqlaw.com)

PET:tlg

# MURPHY Law Firm

Thomas Murphy, Attorney  
Charla Tadlock, Attorney  
Matthew Murphy, Attorney  
Tommy Murphy, Attorney  
Lou Joi Poelman, Paralegal  
Shawnda Winter, Paralegal  
Catherine Garrett, Paralegal  
Leslie Murphy, Assistant  
Betsy Tehle, Assistant

June 19, 2017

Montana Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

**RE: Judge David Sandler for Montana Workers' Compensation Court**

Dear Judicial Nomination Commission:

The attorneys of Murphy Law Firm write this letter in support of Judge David Sandler's application to continue as the Montana Workers' Compensation Court Judge. Judge Sandler consistently demonstrates thoughtfulness, impartiality, and justice in his decisions. Judge Sandler is polite, considerate, and dedicated to rendering good decisions and promoting justice. The citizens of Montana are well served by this excellent Judge.

Before his appointment to the Workers' Compensation Court, Judge Sandler defended claims and he represented injured Montana workers. In other words, he knows both sides of the story. Judge Sandler's work on the Bench during the past three years confirms that he is an important part of Montana's workers compensation system.

Judge Sandler has proven himself to be a highly competent judge, and we believe he is undoubtedly the right man for this position. Thank you for your consideration of our recommendation, and for your service on the commission.

Sincerely,

  
Thomas J. Murphy    Charla K. Tadlock    Matthew J. Murphy    Thomas M. Murphy

Jay P. Dufrechou  
Attorney at Law

dufrechoulaw@gmail.com  
P.O. Box 1066  
Helena, MT 59624-1066  
(406) 439-2681

---

June 21, 2017

Judicial Nomination Committee  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Application of David Sandler for reappointment as  
Montana Workers Compensation Judge

Dear Judicial Nomination Committee:

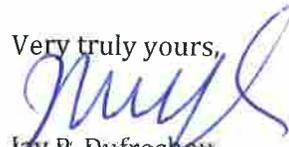
I am writing in support of the reappointment of Judge David Sandler as Workers' Compensation Judge. I have worked in the Montana workers' compensation system since 1999 and now act as a private mediator in workers' compensation cases. In addition to following Judge Sandler's decisions closely, I spend much of my professional life with a broad segment of workers' compensation professionals and claimants.

Judge Sandler has earned the respect of those in the workers' compensation system through his fair, balanced and consistent approach to hearing cases brought before him. His decisions are well reasoned, clearly stated, and respectful of statutory law and Montana Supreme Court precedent. His commitment to maintaining excellence and integrity in the Workers' Compensation Court serves our state at a very high level.

Importantly, Judge Sandler has nearly two decades of experience in Montana workers' compensation law. Having represented all sides in workers' compensation cases, including insurers, employers, and claimants, Judge Sandler understands the needs and problems of a complicated system in ways that are realistic and nuanced. The importance of this experience cannot be overstated in a system involving the serious problems of injured workers, the escalating costs of medical treatment, and the economic realities facing Montana businesses.

Thank you for consideration of these comments.

Very truly yours,

  
Jay P. Dufrechou

Gerry P. Fagan  
Gerry.Fagan@moultonbellingham.com

Suite 1900, Crowne Plaza  
27 North 27th Street  
P. O. Box 2559  
Billings, Montana 59103-2559  
Phone (406) 248-7731  
Fax (406) 248-7889

June 28, 2017

Via email and mail: [mtsupremecourt@mt.gov](mailto:mtsupremecourt@mt.gov)

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Application of David Sandler

Dear Members of the Commission:

I am writing to you about the application of David Sandler to be re-appointed to the position of Workers' Compensation Judge. I had previously written to recommend Dave's original application, and I write again to urge the Commission to nominate Dave again.

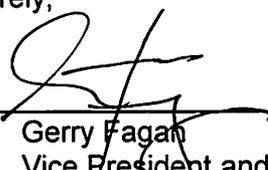
I know Dave well. Dave and I have been friends and colleagues since law school at the University of Montana School of Law. I have also been involved in legal actions that Dave was involved in, and he and I consulted over the years on cases and legal. I am also familiar with his work as the Workers' Compensation Judge.

I originally wrote that Dave was ideally suited to become the Workers' Compensation Judge for many reasons, including that Dave is a very fair and objective person, did not have an agenda, and was a smart and good attorney when he represented clients. I also noted that he had the right demeanor and personality for the position. I believe Dave has proven all of my assertions true in his time as the Workers' Compensation Judge. I think he has been an outstanding Judge, and is well-respected by all attorneys who have come before him. I also think he has applied the law in a fair and rational manner, which assists all parties who litigate a Workers' Compensation claim.

I highly recommend that Dave Sandler be re-appointed to the position of Workers' Compensation Judge. He has served and will continue to serve the citizens of Montana very well. Thank you for considering my opinion.

Sincerely,

By: \_\_\_\_\_

  
Gerry Fagan  
Vice President and Shareholder  
Moulton Bellingham PC

DAN WILSON  
DISTRICT COURT JUDGE  
NICOLE ZORDAN, JUDICIAL ASSISTANT  
(406) 758-5752



FLATHEAD COUNTY JUSTICE CENTER  
920 SOUTH MAIN STREET, SUITE 310  
KALISPELL, MONTANA 59901

STATE OF MONTANA  
ELEVENTH JUDICIAL DISTRICT COURT

June 28, 2017

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Reappointment of Judge David M. Sandler

Dear Ms. Menzies:

I am writing to add my voice to the chorus of those supporting the reappointment of Judge David M. Sandler to the Worker's Compensation Court.

I have known Judge Sandler for a good many years, and I am familiar with his qualifications. Rarely have I come across an attorney – now judge – with such a thorough working knowledge of both the fundamentals of legal practice and the specialized field of Worker's Compensation law. I have the utmost respect for Judge Sandler's ability and his character. And because the Worker's Compensation Court is limited to one judge, I believe it is especially important to retain the proven abilities and the competent public service that Judge Sandler's tenure has come to represent. Judge Sandler's accomplishments as a judge reflect well on both the Worker's Compensation Court and Montana's judiciary.

For these reasons, I respectfully urge Judge Sandler's reappointment.

Sincerely,

A handwritten signature in blue ink, appearing to be "DW".

District Judge



July 3, 2017

***Via Electronic Mail Only***

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Recommendation for Judge David Sandler

Dear Commission Members:

I write to express my enthusiastic support for Judge Sandler's reappointment to the Montana Workers' Compensation Court. For the past 18 years, my practice has focused heavily in the area of workers' compensation, initially as counsel for insurers and employers, and later as counsel for injured workers. It is well known that Judge Sandler likewise represented both workers' compensation insurers and injured workers before Governor Bullock appointed him in August 2014. It is apparent from how he runs his courtroom and his thorough and thoughtful opinions that his experience on both sides of a workers' compensation claim has served him well.

After nearly three years on the bench, it is clear that Judge Sandler has all the attributes of an excellent jurist – he is honest, he is extremely well-prepared, his analytical skills are second to none and, perhaps most importantly, he is committed to a just result. Perhaps the strongest endorsement for Judge Sandler is the fact that he has widespread, if not universal, support from workers' compensation attorneys on both sides of the aisle and the claims examiners who are on the front lines of these claims.

I have had the good fortune to have known Judge Sandler for 20 years. It is my sincere hope that you recommend him to Governor Bullock for reappointment and that the Governor reappoints him as Judge of the Montana Workers' Compensation Court.

Thank you for your consideration.

With kind regards,

ODEGAARD BRAUKMANN LAW, PLLC

  
\_\_\_\_\_  
PAUL D. ODEGAARD



William Dean Blackaby, JD, MSCC  
Attorney at Law

deanblackaby@gmail.com

June 30, 2017

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Application of David Sandler for Re-Appointment to  
Montana Workers' Compensation Court

Dear Judicial Nomination Commission:

I write without hesitation to recommend the Hon. David Sandler for reappointment to the position of Judge of the Montana Workers' Compensation Court.

I have known Judge Sandler for more than fifteen years. Our professional paths have crossed frequently in a variety of situations. I encountered him first in his capacity as a defense attorney at Hammer, Hewitt & Sandler, PLLP. Later, after I moved to the Montana State Fund and represented an insurer, Judge Sandler made a career transition to Bothe & Lauridsen, P.C. to represent injured workers. Throughout those years, we worked as opposing counsel to resolve workers' compensation claims through discussion, mediation and litigation. Regardless of whether he represented an insurer or an injured worker, Judge Sandler was a capable and fair advocate for his clients.

Since Judge Sandler took the bench in 2014, I have had the opportunity to observe a case over which he presided as well as try a case for a client before him. In both instances, the Judge arrived well-prepared, familiar with the exhibits and records. He demonstrated himself to be an astute and attentive trier of fact. He established authority over the proceedings while always maintaining the appropriate professional decorum and allowing the attorneys to present the case. His opinions have been complete, well-reasoned and written with clarity. Above all, I appreciate that Judge Sandler approaches the disputes by emphasizing the statute as it is written. He consistently and methodically analyzes legal authorities using the accepted principles of statutory construction.



Page Two  
Judicial Nomination Commission  
June 30, 2017

In 2014, I also applied for the position for which Judge Sandler was ultimately appointed and now seeks reappointment. As I look back at the appointment process now, after having observed Judge Sandler on the Workers' Compensation Court, I can fairly say that Governor Bullock made the right choice in 2014. Judge Sandler has proven himself a capable jurist and an asset to the Montana Workers' Compensation System. I would urge the commission to forward his name once again to Governor Bullock for reappointment.

Sincerely,



William Dean Blackaby  
MONTANA WORK COMP SOLUTIONS



June 29, 2017

Judicial Nomination Commission  
c/o Lois Menzies  
Office of the Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Application of Judge David Sandler

Dear Judicial Nomination Commission:

I write in support of Judge David Sandler's application for reappointment to the position of Workers' Compensation Court Judge. I am a Law Clerk at the Court and have worked with Judge Sandler since his initial appointment in 2014. Having observed his legal acumen, leadership style, and interpersonal characteristics for nearly three years, I can attest to his ability to do the job, and to do it well.

Before coming to the Court, Judge Sandler had practiced workers' compensation law for over a decade, and represented both claimants and insurers. Needless to say, that experience has been a boon for the Court. Judge Sandler not only has the knowledge of how things work in the "real world" of workers' compensation, but a vast knowledge of the law itself. I am continually impressed by his ability to recall from memory the facts, issues, and holdings of at least a few cases that bear on nearly any question that comes before the Court. Yet, despite his considerable expertise, Judge Sandler is always looking to grow — attending various trainings, as well as courses at the National Judicial College — and encourages his staff to do the same.

Another great quality that Judge Sandler has brought to the Court is his desire to be accessible to the bar, pro sé litigants, and his staff alike. Since his tenure began, he has made himself available to attend depositions, as well as special trial settings, throughout the state, and made it known that he is happy to participate in informal telephone conferences, in appropriate matters, to promote efficiency. Judge Sandler also takes great pains — patiently explaining procedures and answering questions — to ensure that claimants without representation have a fair opportunity to present their cases. And, although he lives out-of-town, Judge Sandler has endeared himself to his staff with regular contact and an open invitation to provide input, whether on administrative or legal matters.

Finally, Judge Sandler is a pleasure to work with. I am confident that those who know him would agree that he is friendly, funny, and has the rare ability to keep a positive outlook when challenges arise.

In sum, I whole-heartedly back Judge Sandler's candidacy for reappointment to the position of Workers' Compensation Court Judge. Thank you for your consideration.

Sincerely,



Wendy Cash

Kevin Braun  
Attorney at Law  
2660 Colt Drive  
East Helena, MT 59635

---

June 28, 2017

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005  
[mtsupremecourt@mt.gov](mailto:mtsupremecourt@mt.gov)

Dear Judicial Nomination Commission:

I am writing to voice my support and recommendation for David Sandler to be reappointed as Judge of the Workers' Compensation Court. Judge Sandler brings with him a great deal of workers' compensation experience through having served as defense counsel, claimant's counsel and currently as the Judge of the Workers' Compensation Court. It is through that breadth of experience that Judge Sandler has earned the respect of practitioners from both the claimant's bar and the defense bar.

Judge Sandler's decisions demonstrate his mastery of workers' compensation law. His decisions are very well reasoned with a firm basis in the law. In addition, Judge Sandler gives careful consideration to the arguments made by the parties to a dispute and he is even handed in his decision making. Simply put, I do not believe that you can find a more qualified candidate to be the Judge of the Workers' Compensation Court and I offer my full support for the reappointment of Judge Sandler.

Thank you for the opportunity to provide comments in support of Judge Sandler's reappointment.

Sincerely,

Kevin Braun,  
Attorney at Law