

Thomas T. Tornow, P.C., Attorneys-at-Law

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August 17, 2015

Judicial Nomination Commission
c/o Lois Menzies
mtsupremecourt@mt.gov

RE: Richard DeJana

Dear Commissioners:

I am writing to express my support for the application of Richard DeJana to replace the Hon. Ted Lympus.

I have reviewed his application and have had significant dealing with Mr. DeJana. Sometimes we are on the same side. More often we are on opposite sides. Sometimes, I am consulting him for his advice or assistance. Regardless of the situation, Mr. DeJana has always evidenced the honesty, integrity, compassion, intellect and work ethic we hope to have in our judiciary.

Mr. DeJana is the type of lawyer that the community wants, but too often does not get. He is always helping in community efforts, particularly those involving youth or his church. I have no doubt he would continue his community involvement should he be appointed to the bench.

Mr. DeJana has also been a valuable asset to the local Bar. I and many other lawyers regularly turn to Mr. DeJana for advice or assistance, which he freely offers without compensation.

Mr. DeJana has the work ethic to render timely decisions, which is a real problem in this Judicial District. If anything, Mr. DeJana works too hard, regularly forgoing vacations and holidays in deference to his client's needs.

Mr. DeJana is the type of lawyer I and others in the local Bar aspire to be. He works relentlessly for his clients and justice without regard to compensation, guided by the law, ethics and justice.

I have no reservations whatsoever is recommending Mr. DeJana for the open position.

Sincerely,

THOMAS T. TORNOW, P.C.

Thomas T. Tornow

By: Thomas T. Tornow

Cook, Kevin

From: Menzies, Lois
Sent: Monday, August 17, 2015 2:29 PM
To: Cook, Kevin
Subject: Public Comment -- DeJana

From: Andy Warner [<mailto:andy.montana@gmail.com>]
Sent: Friday, August 14, 2015 12:53 PM
To: MT Supreme Court,
Subject: Flathead County District Court Judge Position

My name is Andy Warner and I would like to recommend Richard Patrick DeJana for the position of Flathead County District Court Judge.

Rich is a very honest and hardworking lawyer here in Kalispell. In my opinion – he would make a fantastic Judge here in Flathead County.

I personally am a Level IV telecom architect for Sprint living here in Kalispell, MT.

Sincerely,

Andy Warner

St. ST. PETER LAW OFFICES, P.C.
ATTORNEYS AT LAW

2620 RADIO WAY
P.O. Box 17255
MISSOULA, MT 59808
TELEPHONE: (406) 728-8282
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DON C. ST. PETER, ESQ.
don@stplawoffices.com
LINDA OSORIO ST. PETER, ESQ.
linda@stplawoffices.com
MICHAEL O'BRIEN, ESQ.
mike@stplawoffices.com

August 17, 2015

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

Re: Application of Richard P. DeJana
11th Judicial District Judgeship

Dear Members of the Commission:

I write in support of the application of Richard P. DeJana for the District Court vacancy in the 11th Judicial District.

I have known Mr. DeJana for his entire legal career. Mr. DeJana has demonstrated the highest degree of professional ethics, professional competency and professional courtesy. He would make an outstanding District Court judge.

Mr. DeJana has a breadth of legal experience that would serve him well on the District Court bench. Additionally, Mr. DeJana has demonstrated a commendable work ethic. His work product shows that he does not cut corners or advance unmerited arguments. He has always maintained the best of professional conduct and courtesy. His prior conduct gives me confidence that as a district judge he would maintain the same high level of competence, hard work and professional decorum.

Mr. DeJana's experience covers a broad range of civil law matters. He would come to the bench with a significant background in substantive civil law as well as the Rules of Civil Procedure. He also has significant experience in criminal and domestic matters. His experience as a mediator and as an expert witness would enhance his perspective as a district judge. As a result, he has a rounded

Judicial Nomination Commission
c/o Ms. Lois Menzies
August 17, 2015
Page 2

background in both civil and criminal law matters that is unique.

Mr. DeJana has also demonstrated his commitment to service to his community by his significant *pro bono* work and his service to US Youth Soccer.

Mr. DeJana stands out among the applicants because of his broad legal

background, his high degree of professional ethics, his professional competency, his demonstrated professional decorum, and his community involvement. He would make an outstanding district judge.

I encourage you to advance Mr. DeJana's application to the Governor for appointment to the 11th Judicial District Court.

Sincerely,



Don C. St. Peter

DSP/alr

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 21, 2015 2:55 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

From: Linda St. Peter [<mailto:Linda@stplawoffices.com>]
Sent: Thursday, August 20, 2015 2:59 PM
To: MT Supreme Court,
Subject: Judicial Nomination Commission RE: vacancy 11th judicial District Court Judge Ted Lympus

To the Judicial Nomination Committee:

I am writing to recommend attorney Rich DeJana to fill the vacancy of Judge Lympus in Flathead County. I have known Rich DeJana since he started practicing in Kalispell—right out of law school with one of the larger litigation firms in Kalispell. Rich is a very experienced, intelligent and hard-working attorney. He is a good and fair man with whom our law firm holds in great respect. He is well-known and well-respected in the legal community. He has always dedicated a percentage of his practice to pro bono legal services—long before it was mandated. The Flathead district court really needs an experienced attorney in the judgeship and Rich De Jana offers the broadest experience of all the candidates.

Rich would do an outstanding job and I cannot think of a better candidate. He has it all –integrity, experience, intelligence, a love for the law and a strong work ethic. At this time a Judge with his extensive experience is needed in the 11th judicial district as the current judges were relatively inexperienced as practicing attorneys with limited areas of practice. Rich De Jana would fill a much needed void in that respect. He has an appropriate temperament and has always maintain very good collegial relationships with his fellow members of the bar.

Linda Osorio St. Peter
St. Peter Law Offices, P.C.
2620 Radio Way
P.O. Box 17255
Missoula, MT 59808

Telephone 406-728-8282
Fax 406-728-8141

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Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 21, 2015 2:54 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

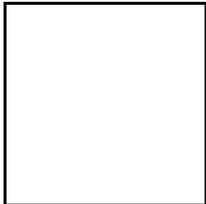
From: Charles Lapp [<mailto:lapp.charles@gmail.com>]
Sent: Wednesday, August 19, 2015 3:55 PM
To: MT Supreme Court,
Subject: Rich DeJana as Flathead Judge

To Whom it May Concern

I have known Rich DeJana for some time and I believe he would make a good judge. I have had several issues that he consulted with me on and he was very prudent in giving me guidance in regards to those issues. He did not try to make billable hours and was very straight forward in explaining the law and how it played in regards to my issues.

I would feel most comfortable in having Rich DeJana preside in a court case I was involved with.

--



Charles Lapp

RE/MAX Home Again Realty

2117 Hwy 2 East

Kalispell, MT 59901

(406) 885-2002 Direct

Broker Licensed in MT

homeagaincharles.com

www.facebook.com/pages/Charles-Lapp/502945216383516

getmobile.remax.com/20517782

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 21, 2015 2:53 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

From: R. Ashton [mailto:snoshoe_2@yahoo.com]
Sent: Wednesday, August 19, 2015 11:03 AM
To: MT Supreme Court,
Subject: judicial public comment Richard De Jana

Upon closer look at Richard De Jana's application, in addition to what I already submitted, he has deliberately not listed under his main cases of the past two years the one I am in.

It should be this:

Caption: Ashton vs. Hoinville DV-13-509 C 11th Jud. Dist.

Date of trial: pending

Judge: Heidi Ulbricht 406-758-5906

Other Counsel: Kai Groenke/Sarah Simkins; Johnson, Berg, Saxby PLLP
Box 3038, Kalispell, MT 59903-3038 406-755-5535

This is my case, it is now pro se, but it was not under the time specified in the application, and in fact started in 2012. He cannot deny it was not one of his "main cases" when you see all the paperwork, and claims of expense, etc., and through which he has caused me permanent damages to my person.

Under E. Professional Conduct and Ethics,

This is a bit tenuous, his answers at this point may be correct, but they may not remain so much longer. There are sanctions asked against him in court, there is unethical conduct, and case filed months ago with the ODC.

Sincerely,
Robin Ashton

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 21, 2015 2:52 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

From: R. Ashton [mailto:snoshoe_2@yahoo.com]
Sent: Tuesday, August 18, 2015 5:31 PM
To: MT Supreme Court,
Subject: public comment for judicial nominees

To Whom it May Concern;

Richard De Jana:

It is my understanding attorneys in good standing may apply. This does not apply to Richard De Jana. He currently has a stalking charge filed against him by me with the county attorney's office. There are two law suits in federal court against him also. He has abused the legal system seriously violating ADA laws, caused many others to be brought into suit due to his actions. Caused me multiple irreparable harm including defamation, and frankly his client he is representing against me should be suing him also. I believe it can be shown he just recently deliberately lost a case for another client.

Judge Daniel Wilson:

While it would seem he would be the most reasonable choice, already being a judge, I believe he is not ready to take on the role in Flathead District Court. He recently gave a copy of a request for a TOP to the offender, without a hearing granted, this is NOT to be done. Offender was the above, Richard De Jana.

While I have no personal experience with the rest, the things I have heard of the others, leads me to believe the best choice, and who might actually remember their job is working for truth and justice for we the people, would be John Quatman.

Sincerely,
Robin Ashton

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 21, 2015 2:51 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

From: jim kuhlman [<mailto:jim@twre.com>]
Sent: Tuesday, August 18, 2015 1:04 PM
To: McLaughlin, Beth
Subject: 11th Judicial District Court Nomination

Regarding the 11th District Court nomination, I would like to express my support for Mr. Richard DeJana.

Having work with Mr. DeJana on several legal issues, I have found him to possess a strong knowledge of Montana real estate law. He listens very well and would make an solid impartial judge.

I strongly support Mr. DeJana.

Sincerely,

Jim Kuhlman
Trails West Real Estate
Bigfork, MT 59911

406-270-4625

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 21, 2015 2:51 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

From: David Hollowayd [<mailto:daveusn2003@yahoo.com>]
Sent: Tuesday, August 18, 2015 1:22 PM
To: MT Supreme Court,
Subject: Judicial Nomination Commision

Dear Commission Members,

I am Fr. Dave Holloway of Kansas City, MO. I am writing in support of the nomination of my friend Rich DeJana to the position of 11th Judicial District Judge. I meet Rich at the beginning of the 1969-69 school year at Rockhurst College (now University) in Kansas City, MO. We have been friends since that time.

I became impressed with Rich and his sense of fairness and desire to make a positive impact for the good of people. He volunteered with the YMCA during his college years and felt pride in the young people he coached in sports. His work with the student body especially as President of the Student Council improved the relations between the administration and the students. Mary DeJana began studies at Rockhurst at the beginning of the 1969-70 school year and they fairly quickly became a couple with a strong bond since that time.

It has been a privilege to be a part of the DeJana's life since then even though I am quite a distance from Kailspell. I have been able to visit them a number of times, baptized one his daughters, and have even spent two 4th of July's in Kalispell. I have witnessed Rich at work in Montana on a couple of occasions and would commend to you his depth of preparation and his intent on providing his clients with the best representation possible.

I highly recommend Rich DeJana to the 11th Judicial District Judgeship.

Rev. David L. Holloway, LCDR, CHC, USN (Ret)
St. Bernadette
9020 E 51st Terrace
Kansas City, MO 64133
(816) 356-3700

July 16, 2015

William T. (Bill) Lincoln

203 Lakeshore Drive

Lakeside, MT 59922

lincolnbulldog@hotmail.com

Judicial Nomination Commission

C/O Lois Menzies

Office of Court Administrator P.O. Box 203005

Helena, Montana 59620-3005

Re: judicial appointment for the 11th judicial district,

Dear Commissioners:

I am a fourth generation resident of the Flathead Valley and have been an active educator and entrepreneur during the last 40+ years. Montana has been the source of my education, professional, Business and family life. I have been involved in industry organizations with offices at the state and federal level. I have taught about, lobbied for and created laws that were to structure the societies we live in. The courts touch all lives and the judges in those courts are the determinants of justice or the lack thereof for all. What could be more important?

From the outside, I can tell you that there are regular conversations about the delays in what appears to be the inconsistency of the District Court. Because I associate with the gentleman I'm going to discuss shortly and other attorneys, I'm aware that the attorneys are very frustrated with delays in getting timely decisions and how cases are generally being handled. This, all the attorneys and people I talked to, credit to the general lack of experience in our current judges. Judge Allison is the most experienced of the group and he did not litigate major cases.

I've been encouraging my very good friend and longtime Kalispell attorney, Rich DeJana to again consider becoming a judge. Those of us who know Rich think this is an important time to bring someone of his overall legal experience and age onto the bench. Rich graduated with high honors in 1977 from University Montana law school. In the course of his legal career, he has represented in his office practice the moms and pops of Kalispell, the senior citizens, kids in need and generally anyone who stops in with a question. He seems to have the philosophy that it his job to serve people, just that simple. Then he steps into the business area for his many small business clients of which my brother and I are a part. He always tells them to call first on an issue, before it becomes a problem. Why? It is always best for them, as a business owner, to know their options. The client always comes first in his office. Now to his passion for trying cases. He has tried cases since first stepping into his legal career. He has represented insurance companies, small businesses, and individual clients. He has tried many cases protecting his

client's rights. He has won and lost six-figure cases. His emphasis for the last decade has been prominently in the area of real property and land use. Again, many of his clients are ordinary citizens, but the issues can be very complex and have a profound legal impact on their property and lives. This is an area which is so very important for the Flathead Valley and yet an area in which the current judges have little or no experience.

When I first met Rich in the early 80's he was one of the few active Democrats I knew in the Flathead Valley. He managed Pat William's campaigns in the Flathead. He served as County Chairman and I understand he had a brief term on the State Democratic Executive Committee. Yet, Rich has always maintained the respect and working alliances with the folks on the other side of the political spectrum through his legal representations and business activities in organizations like the Flathead Business and Industry Association.

In the 90s, he threw his attention to youth sports. He helped Dan Johns with the development of KIDS SPORT, Kalispell's youth complex. Besides becoming a coach in both baseball and soccer, a soccer referee and instructor, he ran both the local soccer Association and the state Association for a number of years. Eventually Rich served three years as the only Montanan ever elected to the Board of Directors of US Youth Soccer. Through his leadership on the board of directors the concept of the small sided games for the youth was approved and introduced to the players. It has been by far one of the best teaching tools for youth soccer. He often says he accomplish more coaching for 28 years, than he ever did in any political or administrative actions.

Having gotten to know Rich very closely, I can tell you he thinks about law constantly. When he ran for office, he was the only candidate that had read the manual for district judges. In fact, he had read it before any of the current sitting judges. He felt it was necessary to know the role of the judge. I will bet you that he will be the only applicant who has not only read but studied the manual. We can discuss with Rich current legal issues the Montana Supreme Court or the US Supreme Court and although we may disagree with some of his conclusions, it is clear he researches his reasons.

Rich has spent time talking with me and other business people about the needs in the court. How the court must be aware of how cases are tried including what he calls the motion process to limit the issues. I recognize that Flathead has a large caseload. Everyone I talk to involved in the system knows that there are a lot of cases filed in the Flathead Valley. That does not relieve the judge of the obligation to be timely. I've watched Rich as a sole practitioner for most of his career, sacrifice personal time in order to timely deal with clients' needs.

I know that there is a nomination process, and we have convinced Rich to file. Now he will have to make it through the Judicial Nomination Committee. I wanted to take this opportunity to make you aware that you have an opportunity to select a lawyer who has the ability to improve the court system in the Flathead Valley.

Sincerely, *Bill*

William T (Bill) Lincoln

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 28, 2015 3:16 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

From: Ruby Ridge To Freedom . [<mailto:rubyridgetofreedom@gmail.com>]
Sent: Wednesday, August 26, 2015 2:40 PM
To: MT Supreme Court,; Ehalverson@halverson.net; Lsd22@yahoo.com; rusche.ryan@gmail.com;
nancyzadick@gmail.com
Cc: Richard DeJana
Subject: RE: Richard DeJana for 11th Judicial District Judge

To Whom It May Concern:

It is with great honor and much respect that I have the privilege to write to you in regards to Richard DeJana in hopes that he is our next 11th Judicial District Judge.

Rich has been not only a professional constant in my life since 1996, but also a true blessing. I have the confidence that when I am faced with a legal matter, I can come to Rich and he is there with sound wisdom and the capability to guide me into a successful outcome. He is diligent in his research of the law before he comes back to me with a plan on how to proceed. Over several years of working with him, he has demonstrated this demeanor time and again.

I have the utmost respect for Rich, both professionally and personally. He gives back to our community every opportunity that presents itself. He has demonstrated this honorable trait throughout the years. I have the greatest confidence that Rich truly cares about people.

I can proudly say that Rich and my family have grown through our relationship with him to the point that we consider Rich and his wife part of my extended family.

We strongly encourage you to consider him for the position. Our community would benefit greatly from his thoughtful approach to individuals and how their circumstances relate to the laws of our state.

Thank you for your time and consideration.

Warmest regards,

Sara Weaver

www.rubyridgetofreedom.com

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, September 1, 2015 2:55 PM
To: Cook, Kevin
Subject: Public Comment -- DeJana

From: Jeff Larsen [<mailto:jlarsen@montanasky.net>]
Sent: Monday, August 31, 2015 3:23 PM
To: MT Supreme Court,
Subject: Richard Patrick DeJana Judicial Application, 11th Judicial District

Honorable Judicial Nomination Commission:

I would like to recommend that you appoint Richard DeJana for the District Judge position that will be open in the 11th Judicial District as a result of the retirement of District Judge Ted Lymus.

I am a Registered Professional Engineer and Land Surveyor in the State of Montana. I have been in private practice for over 20 years in Flathead County. I have also served on the Flathead County Planning Board for over 15 years and am currently a member and Vice President of the the Flathead County Planning Board.

I have had the pleasure of working with Mr. DeJana on a multitude of land use issues and land use legal cases. Mr. DeJana is one of the most qualified attorneys on land use issues I have ever worked with in my professional career. Mr. DeJana is also very community involved. He donated many hours to help Flathead County on revisions of land use regulations over the years. His expertise on these issues is second to none and was a real asset for the Flathead County in making final decisions on land use documents.

I have worked with many attorneys over the course of my career on land use issues. I can honestly say that Mr. DeJana is one of the best and if not the **very best** attorney with regards to land use issues I have ever worked with. Having his expertise on the bench in the 11th Judicial District regarding land use issues would be a great benefit to the citizens who use the 11th Judicial District court.

Mr. DeJana is very timely in his work and produces his legal work promptly and on time for his clients. He is able to make decisions in a timely manner. I believe Mr. DeJana would make judicial decisions in the timely manner citizens are entitled to. One of the complaints I hear the most about our local judges is that they do not make decisions in a timely manner. I believe Mr. DeJana would turn this problem around. Remember the old saying; "*justice delayed is justice denied*". If we can get Mr. DeJana appointed, the citizens of Flathead County will not have justice denied because it is delayed.

Please appoint Mr. DeJana to the vacant judge position in the 11th Judicial District.

If you have any questions regarding my recommendation of Mr. DeJana, please do not hesitate to contact me.

Very truly yours,

Jeff H. Larsen , P.E., P.L.S
Larsen Engineering & Surveying, Inc
1370 Airport Rd
P.O. Box 2071
Kalispell, MT 59903
406-752-7808
406-250-5856
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201 3rd AVENUE WEST
KALISPELL, MONTANA 59901
(406) 755-6285
Fax (406) 755-3055

September 1, 2015

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

RE: Richard DeJana

Dear Commissioners:

I am writing in support of Richard DeJana's application to fill the Eleventh Judicial District Judgeship vacancy.

I have worked with Mr. DeJana on numerous real estate issues. I found him to be very knowledgeable on planning, zoning, easement, boundary and title issues.

Mr. DeJana's experience and work ethic would be an asset to the District Court and I encourage you to forward his application to the Governor.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Marquardt', written in a cursive style.

Dawn Marquardt

Reep Bell Laird Simpson & Jasper

ATTORNEYS AT LAW
a professional corporation

Phone 406.541.4100
Fax 406.541.4101

2955 Stockyard Road
P.O. Box 16960
Missoula, Montana 59808

September 1, 2015

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

Dear Commissioners:

I write in support of Richard DeJana's application for the position of district court judge of the 11th Judicial District to fill the seat recently vacated by the Honorable Judge Ted O. Lympus. While you have an impressive list of candidates for the position, in my view Rich is eminently qualified to assume that role. Rich has devoted more than 30 years of his life to practicing law in the Flathead Valley. During that time, he has built up a well-deserved reputation for fairness, know-how to work through complex legal issues, and dedication to the practice of law and the clients he serves.

Rich is acutely aware of the problems facing the local judiciary in Flathead County. The primary problem is the significant delay that often occurs in having civil cases decided. Rich has the capability, the experience and the drive to tackle those issues head-on and to resolve them by deciding cases in a prompt and thoughtful fashion. Appointing Rich as the new judge in Flathead County would benefit the citizens of Montana and the litigants in Flathead County because he would work to reduce the backlog of cases and provide an avenue for the timely disposition of new matters.

Rich is an excellent candidate to fill Judge Lympus's seat, and I heartily endorse him for that position.

Sincerely,
REEP, BELL, LAIRD, SIMPSON & JASPER, P.C.



Fred Simpson

Al Seeley
690 CR 1944
Emory TX 75440
August 31, 2015

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

Subject: Public Comment Sought on 11th Judicial District Judge Applicants

Dear Commission Members:

I have known Rich (Richard DeJana) for thirty- five years. He has handled numerous real estate transactions, trial representation and corporate legal work for me. I have nothing but the upmost respect for his legal ability. Being a business man I had questions covering all aspects of my business. I always felt confident that Rich saw the whole picture when he advised me. Worth noting that I moved away for Montana years ago, but continued to call on Rich for my Montana legal services.

Beyond the legal side, our personal family friendship has continued all these years. Rich's commitment to family has remained strong even with his busy law practice. In our early days together he would come back to work on my projects in the evening after his kids had been put to bed. Only after I had my own kids, did I really understand that type of commitment. I know that "work ethic" is an attribute I wanted to see in people I hired.

With what Rich will bring to the bench, I can think of no better candidate for the judge position in the 11th Judicial District than Rich DeJana.

Thank you for giving me the opportunity to express my recommendation of Rich DeJana.


Al Seeley

HAMMER & QUINN, PLLC

ATTORNEYS:

TODD A. HAMMER
MARCEL A. QUINN
BENJAMIN J. HAMMER

100 FINANCIAL DRIVE, SUITE 100
P.O. Box 7310
KALISPELL, MT 59904
TELEPHONE (406) 755-2225
FAX: (406) 755-5155

PARALEGALS:

TINA GATES
SUSAN JONES
MARY KATE SMITH

WEBSITE: WWW.ATTORNEYSMONTANA.COM

September 4, 2015

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

Dear Judicial Nomination Commission:

This letter is to lend my support to Richard DeJana's nomination for district court judge of the Eleventh Judicial District Court in Flathead County.

I have known Rich professionally for the last five years, and have had the privilege of working with him on a variety of cases. In my dealings with Rich, I have found him to display a wealth of knowledge of multiple areas of law. I frequently consult with him on legal cases. He has always offered me his time and attention to assist in my own personal development as a lawyer. He is not only capable, but compassionate. Rich has the ideal persona and temperament for a judge.

Rich has extensive knowledge of the law and is capable of handling a wide variety of legal issues. He also has the ability to manage and handle a large workload. More importantly, Rich holds the ethical core and moral character that is integral to our judiciary. He would make an excellent addition to our court.

Thank you for your consideration of Richard DeJana, as well as your willingness to serve on the Judicial Nomination Commission to insure that we have the best qualified candidates for appointment to the judiciary.

Sincerely,



Marcel A. Quinn

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 4, 2015 2:19 PM
To: Cook, Kevin
Subject: Public Comment: DeJana

From: Ed Corrigan [<mailto:corrigan@flathead.mt.gov>]
Sent: Wednesday, September 02, 2015 11:08 AM
To: MT Supreme Court,
Subject:

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

mtsupremecourt@mt.gov

Re: Richard DeJana, Esq.

Dear Commisioners:

It has been brought to my that Robin Ashton has submitted public comment alleging that Richard DeJana, Esq., "currently has a stalking charge filed against him by me with the county attorney's office." I am writing to advise you that Ms. Ashton's allegation is not true. We have not filed stalking charges against Mr. DeJana, nor do we intend to do so.

Please do not hesitate to contact this office if you need further clarification.

Sincerely,
Ed Corrigan
Flathead County Attorney

September 3, 2015

Letter of Support for Richard DeJana nomination to 11th Judicial District

We write this letter in support of Richard DeJana's nomination to the 11th Judicial District. We have, in the past 30 years, trusted Rich with decisions, guidance and advice in the following areas:

Beginning a startup business the big decision being a not for profit business or a for profit business. Rich advised us to start as an S-Corp, for profit business that after 25 years, we sold both the business and our personal property for a profit, enough to see us through retirement.

He provided advice on child custody issues where ex-spouses, adult children and ourselves are still friends.

Rich helped a non-profit organize that helped provide clients of ours with funds to participate in our therapeutic horseback riding program. A nonprofit, Human Therapy on Horseback never in its 14 years turned a family in need of our service away.

Rich was always able to communicate with other attorneys as well as the party they represented and reach a timely agreement. In short Rich has become a most trustworthy friend and advisor covering important lifetime and end of life decisions.

He has been a very active member in the community supporting youth, community welfare, and he stays up to date of current happenings and laws affecting us all daily in the Flathead and Montana.

His judgement has proved invaluable for us and made our lives and the lives of all the Flathead better. We are very proud to support his nomination.

Sincerely,

Robert and Timothea Burmood

September 4, 2015

Judicial Nomination Commission
% Lois Menzies
Office of Court administrator
PO Box 203005
Helena, MT 59620-3005
mtsupremecourt@mt.gov

Re: Application of Richard Patrick DeJana

We have known Mr. Dejana for over fifteen years. He has represented us in personal as well as business matters.

We feel that he would make a very fair and reasonable District Judge. Although, he is on the opposite side of the political spectrum from us, this has never affected our business & personal relationship. We consider him our attorney as well as a good friend.

Please consider this fine, ethical, and knowledgeable man for the opening in District Court.

Thank you for your time.

Marvin & Kathleen Sudan
495 Hoffman Draw
Kila, MT 59920
(406) 755-8838

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, September 8, 2015 4:32 PM
To: Cook, Kevin
Subject: Public Comment -- DeJana

From: Ted Patten [<mailto:tedpatten@charter.net>]
Sent: Tuesday, September 08, 2015 10:52 AM
To: MT Supreme Court,
Subject: Richard DeJana

Judicial Nomination Commission
c/o Lois Menzies
mtsupremecourt@mt.gov

RE: Richard Patrick DeJana

Members of the Judicial Nomination Commission,

I am writing today as a citizen to relate my experience with Richard DeJana.

I was named as a defendant in the matter:

DV 99-401A
Dave Himsl and Susan Himsl
vs
Ted Patton (sic) and Phillip E Kehres (sic)

Mr DeJana was unable to spell our names correctly and never sought to change this error.

As to Mr. DeJana's possible writing skills, I believe that his claim of "dyslexia" may be selective and it depends on whom he is addressing. He seems perfectly lucid when writing to his peers, but as defendants, we had to settle for far less. Mr. DeJana returned discovery responses that were undecipherable, and contained blank, unanswered interrogatories.

In his application, Mr. DeJana complains about rulings being made too early. He's certainly the expert there since he compelled Judge Lympus to rule in his favor on March 10th, 2000, long before any discovery had been exchanged.

After hundreds of pages of witness lists, tax receipts and 3 "settlement conferences", Mr. DeJana finally accepted \$5,000 for his client's scrap of land in November of 2002.

However, Mr. DeJana would not transfer the property until facing the real threat of disciplinary action, so the boundary line adjustment did not occur until the fall of 2003.

I do not recommend that Richard DeJana's application be advanced to Governor Bullock.

William E Patten
(406) 871-6395

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, September 8, 2015 4:31 PM
To: Cook, Kevin
Subject: Public Comment -- DeJana

From: William Jones [<mailto:williamraymondjones@gmail.com>]
Sent: Sunday, September 06, 2015 7:17 PM
To: MT Supreme Court,
Subject: Richard DeJana

My occupation is an attorney licensed in California. I am admitted in the state and Federal Courts in California. I have litigated and performed over 75 jury trials both civilly and criminally. I have been engaged in insurance cases both as a claims adjuster and manager for Travelers Insurance Company and All state Inc company. The criminal cases included major criminal cases involving search and seizures issues in Federal Court in Sacramento and appointed by Justice McBride. In the lead case of the definition of insanity I was lead counsel in People v Horn. My background included giving seminars across the country in handling personal injury cases including psychiatric injuries. Co speakers included Psychiatrist Martin Blinder. Martin wrote a book called Psychiatry and The Every Day Practice of Law. I am Married to an Attorney Alisa Stephens who attended UC Law school in Davis. Have served as settlement Conference judge in Placer County and Sacramento County. Handled well over 5000 cases. Including Real Estate, estate,dissolution and primarily representing Consumers. 42 years in practice and still helping people. I have served as president of the North Sacramento Optomist Club and Granite Bay Rotary Club. I have worked late nights. Rich Dejana has performed legal services for me in Montana. I have developed property in Columbia Falls and have a second Residence there. Rich has become a friend and is a hard worker. He loves his wife and grandchildren. He enjoyed soccer all over Montana with the children. He is thoughtful and would make an excellent judge. He thinks thing through. P.S. my law school Professor in Constitutional Law was Justice Kennedy. Please give Rich Dejana the Opportunity To Serve. Respectfully W.R. Jones Esquire.

KALVIG LAW FIRM, P.C.

100 COOPERATIVE WAY, SUITE 202
P. O. BOX 1678
KALISPELL, MT 59903-1678

PHONE: 406-257-6001
FAX: 406-257-6082
WEBSITE: KALVIGLAW.COM

September 8, 2015

Via U.S. Mail

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

Re: Public Comment District Court Judge
11th Judicial District (Flathead County)

Dear Commission:

I have reviewed the nominees for the position of district court judge for the 11th Judicial District (Flathead County) and the decision you have to make will not be an easy one. The nominees I am most familiar with have strengths that make them viable candidates for the position. The candidate I have the most knowledge of and experience with is Richard DeJana, whom I am pleased to support for district court judge.

Rich's practice over the years has been varied so he has experience in many different areas of the law. Rich will take the time to quickly sharpen his knowledge in those areas that have not been a routine part of his practice because he is a student of the law. I have attended seminars taught by Rich and I am always impressed with the depth of his research and thirst for understanding a topic.

Rich understands the role of a judge because of his experience as a litigator and courtroom attorney. Rich understands the law and how it should be applied. He also understands fairness. Rich will be able to manage the high case load of a district court judge in Flathead County. He has efficiently managed a very busy and active case load for several decades. He is a tireless worker and will apply that same work ethic as a judge. I am confident he would be able to judiciously apply the law and render appropriate decisions in a timely manner.

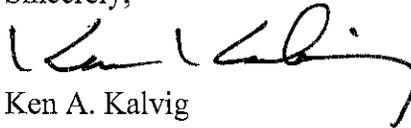
Rich has many personal qualities that make him well-suited to be a judge. He relates well with people from all walks of life. He cares about his clients and solving their problems, even when they have little ability to pay legal fees. He is generous with his time and talents. Rich has been a good and accessible mentor to me and other colleagues. He has been an active volunteer in

Judicial Nomination Commission
September 8, 2015
Page 2 of 2

our community, especially with youth soccer. Rich understands the role of judge as a decision-maker, but will handle that role with great care and empathy.

Thank you for taking the time to read this letter in support of Richard DeJana as candidate for district court judge for the 11th Judicial District (Flathead County).

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Kalvig". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ken A. Kalvig
ken@kalviglaw.com

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 11, 2015 8:07 PM
To: Cook, Kevin
Subject: Public Comment -- DeJana

From: chartelius@aol.com [<mailto:chartelius@aol.com>]
Sent: Friday, September 11, 2015 8:43 AM
To: MT Supreme Court,; MT Supreme Court,
Subject: Re: 11th Judicial District Vacancy

September 11,2015

Judicial Nomination Commission
c/o Lois Menzies
Office of Court Administrator
HelenaMt

Dear Commission:

Please be advised that I strongly endorse RICHARD DJANA to fill the vacancy of the Judgeship in Flathead County.

I have known Mr. Dejana personally and professionally for over 20 years.
He is very intelligent, hardworking, and engaging.

Mr. Dejana has the temperament and abilities to be an outstanding Judge.

He will serve the public well.

Best regards

Channing J. HarteliusEsq.

Sent from Windows Mail

Donald E. Kisler
2 Sunset Plaza
Kalispell, MT 59901

September 8, 2015

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

Re: Recommendation of Richard P. DeJana for Flathead County District Judge

Dear Sir (Madam):

I have known Rich for over 35 years on both a personal and professional basis. During that time I have witnessed, time after time, the highest level of personal and professional honesty, integrity and commitment, whether it be to his friends, family, clients or the community in general. Rich is the type of rare individual that is always willing to serve others with no expectation of gain or benefit for himself. Rich is simply motivated to make our community and the world that we live in a better place. Over the years I have referred a number clients to Rich that were in need of legal assistance and I have always received heartfelt gratitude from them as a result of that referral. My referrals were extremely pleased with the individual attention they had received as well as the feeling of wellbeing they received knowing that their matters were being addressed with the upmost professional care, respect and attention delivered in a timely manner. A number of times over the years, I have also referred several individuals that were not in the strongest financial condition however they were in need of legal assistance. Rich has shown me that he was not just in it for himself but to serve others and as a result I always knew I could count on him to help people with limited resources in their time of need. Rich's commitment to excellence and professionalism extends well beyond the legal community. Rich has served the youth of the Flathead Valley dedicating years and countless hours of his time coaching, refereeing and lending his leadership and administrative skills to the youth soccer community of Flathead Valley, the State of Montana and the US Youth Soccer Board of Directors. In addition to all of Rich's commitments he has continually served his church and still found time to contribute to the wellbeing of the Flathead business community.

It is my distinct pleasure and honor to recommend Richard P. DeJana for the Flathead County District Judge position. I do not believe that a finer candidate will stand before you, nor do I believe that you will find a candidate that possesses greater honesty, integrity, professionalism and a commitment to serve the community and legal profession in which he has dedicated his adult life. If you have any questions or if I could be of further assistance please do not hesitate to contact me.

Sincerely,



Donald E. Kisler, CPA/ABV/CFF, CBA, CVA/MAFF
Phone 406-752-1040

September 5, 2015

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

Re: Nomination of Richard DeJana to the position of district court judge for the 11th Judicial District

Ladies and Gentlemen:

I am writing to nominate Richard DeJana to fill the current vacancy in the 11th Judicial District.

As an accounting and finance professional at Jordahl & Sliter PLLC, I and my clients have experienced Mr. DeJana's successes from various perspectives. Regardless of his supporting or opposing counsel, he has always retained my respect due to his unwavering integrity and pursuit of fairness coupled with his impressive understanding of real estate law. His lifetime community involvement and passion for mentoring young athletes has made the Flathead Valley a better place.

My background is in accounting – not law. I do not pretend to know all the requirements your commission must evaluate to ensure a quality appointment. But I do know Mr. DeJana is a good, fair man with a strong work ethic. His strong personal character and 30+ years of experience would further add to an already well respected district court.

I believe Mr. DeJana would be an asset to the 11th Judicial District and recommend him to you, without reservation. I also thank you for your willingness to serve on the Judicial Nominating Commission to insure that we in Montana have the best qualified candidates for appointment to the Judiciary.

Sincerely,



John Michael Knopik, CPA/CFP®

KALKSTEIN, JOHNSON & DYE, P.C.

P.O. BOX 8568
225 ADAMS
MISSOULA, MT 59807-8568
e-mail: cj@kalksteinlaw.com

Gary Kalkstein
C. J. Johnson
Travis Dye
Helia Jazayeri
Jennifer Loobey,
Office Manager

(406) 721-9800
FAX: (406) 721-9896

September 11, 2015

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

Re: Richard P. DeJana
District Court – Flathead County

Dear Ms. Menzies:

I respectfully recommend Kalispell attorney Rich DeJana to the Judicial Nomination Commission. I have known Rich for ten years and have had the pleasure of litigating cases with and against him during that time. Rich is a very talented litigator; more importantly, he is an exceptional person.

Rich understands that a just result does not always mean leaving one's opponent bloodied on the courtroom floor; rather, it is the product of thoughtful communication and respectful advocacy. I've also always appreciated Rich's candor and approach. Clearly, he is possessed of passion for the law, but what matters more is Rich's ability to dispassionately evaluate cases and communicate what he believes, instead of what others might want to hear.

Lois Menzies

Re: Richard P. DeJana

September 11, 2015

Page 2

Rich is an outstanding lawyer. His character, intelligence, and temperament will make for an outstanding judge. I recommend him highly for your serious consideration.

Thank you.

Very truly yours,

C.J. Johnson

CJ/jl

Cook, Kevin

From: Menzies, Lois
Sent: Sunday, September 13, 2015 7:59 PM
To: Cook, Kevin
Subject: Public Comment -- DeJana

From: Chris Gustine [<mailto:stillwaterstrikemaster@yahoo.com>]
Sent: Saturday, September 12, 2015 2:06 PM
To: MT Supreme Court,
Subject: Judicial Nomination of Rich Dejana

To the Judicial Nomination Commission of the State of Montana.

We are contacting you to voice our support of Richard Patrick Dejana to fill the position of district court judge for the 11th Judicial District (Flathead County).

We were first introduced to Richard Dejana in 1992. Our family were new home owners in a new subdivision neighborhood and were in need of guidance to develop a Home Owners Association and set of covenants to which all the home owners could agree upon. After listening patiently to all of our concerns and issues at our meetings Richard through his expertise in Real Estate and property law guided us through the process of forming our own Home Owners Association now known as Country View Estates. Richard also created our neighborhood covenants which are still in place to day and have served us for 23 years, have protected our property values and insured that each neighbors property compliments each others.

Our next encounter with Rich Dejana came years later when our daughter Chantal became involved in youth soccer. At the time we were unaware of Rich and his wife Mary's involvement and dedication to youth soccer in the Flathead Valley. We observed over time that many people, players of all ages as well as parents and officials all greeted Rich and Mary with a handshake, hug or friendly wave. It was obvious to us that both Rich and Mary were both highly respected and well liked individuals in our community.

As our daughter Chantal Gustine continued playing she would eventually play for teams coached by Rich. I had been assisting other coaches for several years and was honored when Rich asked me to assist him. I found Rich to be one of the finest coaches and all around individuals I have ever met. Rich accepted each player as an equal. He never once singled out anyone and strives to make sure every player on his team was given the opportunity to play and improve. He not only focused on improving each players skills but instilled in them the importance of working together as a team, how to play according to the rules of the game such as playing fair and good sportsmanship. I consider Rich to be a great motivator and he possessed a gift for being able to recognize any player who might be struggling due to issues both off and on the field. Without the individual or the other players being aware of it. Rich was able to include, involve and improve a struggling player which resulted in that player having more self confidence and belief in themselves as well as acceptance and inclusion of all the other players and parents especially the parents of the struggling individual.

There is no place in our community that Rich and Mary go that people don't approach them for friendly greetings and conversation.

It is our belief that Flathead County would be a better place with the likes of Richard Dejana as a sitting judge. We sincerely hope that you will not only consider Richard for this position as he would rule by the laws of our state in all fairness and honesty to all but you'll give him the same thumbs up he has given to so many others.

Thank you

Sincerely

Ron, Gayle, Chris and Chantal Gustine

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

10 September 2015

Dear Members of the Judicial Nomination Commission:

I write to lend my voice to those encouraging you to submit the name of **Richard DeJana** to fill the vacated seat of Judge Ted Lympus. In addition to clear understanding and broad experiences in law, a nominee to a judicial position must also be a person whose integrity and sense of fairness is beyond question. In Rich DeJana, I believe you find both the legal background and the character qualities that commend him for this position.

Rich DeJana's legal career provides much evidence of scholarship, leadership and service, especially through the Montana Bar Association. In the community Rich also has a long record of service and leadership in a variety of organizations that speak clearly to both his dedication to the betterment of the community, but also to the respect that Rich has earned among his peers. Unselfish of his time, Rich has a longstanding reputation for being willing to help others in a wide variety of ways. His tireless commitment to youth soccer leagues in Montana spans several decades and has positively influenced hundreds of young people.

It is this commitment to strengthening the community through both professional and volunteer service that so clearly demonstrates the character of Rich DeJana and makes him a strong candidate for district judge.

I am more than confident that because of Rich's work ethic, his knowledge and intellect, and his integrity that the people of this state could be confident in being served by a fair-minded and more than capable judge. My husband Bob joins me in this letter of recommendation and we encourage you to look favorably on his application for judge of the 11th Judicial District.

Sincerely,



Sue Brown & Bob Brown
333 Cougar Trail
Whitefish, MT 59937

Saturday, September 12, 2015

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

Dear Judicial Nomination Commission:

I have been honored to know Richard Dejana for more than 20 years, and I think that he has the type of dedication, knowledge, and leadership our community needs in a District Court Judge.

Mr. Dejana has been a leader in our community in many different areas. My first interaction with Richard Dejana came from his involvement with youth soccer. Because of his dedication for positive activities for youth with the Greater Kalispell Youth Soccer Program, youth like me had the chance to develop many skills that we would carry with us for the rest of our lives. Because of Dejana's service on the board with the Flathead Force, I also benefited from playing competitive soccer giving me many leadership develop opportunities which helped me in school and work.

I had the opportunity to observe Rich as a soccer coach, a referee, and as a leader of soccer organizations of which I was a member. Richard Dejana always carried himself in a way that showed respect for those around him and encouraged everyone to do their very best. I think these would be fine character traits for any judge to possess.

Richard Dejana was also behind starting Big Brothers Big Sisters of Flathead County. As a former mentor with Big Brothers Big Sisters and now as director of BBBSFC, I know that this is one of the best investments anyone could have made in our community. Children who have a positive adult mentor are more likely to become healthy citizens. Because people like Rich understand this, our community has likely saved many resources that would have otherwise been spent on juvenile and adult corrections.

Another great contribution Mr. Dejana has made in our community is his service with Flathead Industries. A sign of great leadership is being aware of those in your community who face extra challenges but have a lot to offer as fellow human beings. Richard Dejana's investment in Flathead Industries shows that servant-based leadership trait. We should all greatly appreciate Rich's service to those who have a disability.

While I am no legal expert, I believe that Richard Dejana is just the person we need to help deliver fair and balanced justice in our community as a District Court Judge.

Sincerely,

Jesse Mahugh

Dennis Konopatzke
Counselor at Law
P.O. Box 613307, Dallas, Texas 75261
P.O. Box 2609, Columbia Falls, MT 59912
(972) 929-1999

September 8, 2015

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

RE: Applicant Richard Patrick DeJana for Eleventh Judicial District Court Judge

Dear Ms. Menzies,

I am presenting this letter to recommend Mr. Richard Patrick DeJana for the Eleventh Judicial District Court Judge position.

Richard DeJana has been a Montana resident for 65 years and has practiced law in Montana for 38 years. His vast knowledge includes real property, zoning and land use, easement issues, lien litigation, estate planning, domestic and family law, and criminal law. His trial practice and court appearances, including appearances before the Supreme Court, show that he is a prime candidate for this position.

Mr. DeJana's professional and public service record speaks for itself. Richard feels an obligation to his community as a professional. Some points of his professional and public service record include being President of the Northwest Montana Bar Association in 1982 and 1983, serving on the Flathead County Subdivision Committee in 2005 through 2007, coaching JV soccer for six years and becoming the assistant varsity coach for five years, serving on the Board of Directors for the Flathead Business and Industry Association of which he is currently president, and serving on the Finance Council of his church. I encourage reading Richard's public involvement and time he has

given to his community that he has described in his application. It is quite impressive and expansive.

Richard Patrick DeJana respects the law and does not lose sight of the fundamentals. He is a problem solver and decisive, which makes him excellent at resolving disputes and prompt with decisions. Rich is humble and intellectual enabling him to make decisions based on law not on his own desires or concepts of justice. He is protective of our individual and constitutional rights as citizens. Mr. DeJana is extremely hard working, has a broad range of experience, and is respectful. I have personally worked with Rich in many capacities and found him to be a good lawyer with great judgment.

I strongly recommend Richard Patrick DeJana as an Eleventh District Court Judge for all of these reasons and many more.

Sincerely,

Dennis Konopatzke
Legal Counsel