

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

August 14, 2015

RE: Daniel Richard Wilson – Eleventh Judicial District Court Judge Vacancy

Dear Members of the Commission,

I am proud to say that I have known Dan Wilson for more than 20 years and he is easily one of the brightest attorneys that I have had the good fortune to know. Years ago, Dan and I worked together as deputy county attorneys in Great Falls. By any measure, the Cascade County Attorney's Office was an extremely busy office. We found ourselves in court nearly every day and Dan proved to be more than up to the task. When we worked together, Dan calmly juggled his caseload, never missing an appearance nor causing stress or discomfort to the office, the courts, or opposing counsel. Without being a pushover, Dan has consistently demonstrated an easy, thoughtful, and respectful style of practice. In fact, as an attorney, Dan truly embodies the concept of professional courtesy. He practices like we all hope to practice.

Dan also has a wonderful sense of humor which was greatly appreciated when things got tough. He proved himself to be a supportive co-worker and a loyal friend. In the time I have known him, he has lived his life and practiced the profession with the utmost integrity. He is driven to give back to his community and has regularly volunteered his services in the places he calls 'home'. There will be no hidden secrets in Dan's background to cause embarrassment for anyone.

On top of being a truly decent person, Dan also has an amazing legal mind which is keenly suited to being a great judge. He does not shoot from the hip. If he is presented with an issue or is asked a question, he always takes the time to actually consider what is being asked before giving a deliberate answer. Over time, I can envision Dan being recognized as one of the great judges in Montana.

I know that the Commission is reviewing a number of people to fill the vacancy. I respectfully request that Dan Wilson be given the Commission's strong recommendation for appointment as district judge. Whether or not Dan is appointed to fill the vacant judgeship, I can confidently and emphatically say that no one will be better qualified nor more worthy of the trust we all necessarily must place in our district judges.

M. Gene Allison
Montana Bar Member since 1990
Bar # 2714

JAMES C. BARTLETT
ATTORNEY AT LAW
322 SECOND AVENUE WEST
P.O. BOX 2819
KALISPELL, MONTANA 59903-2819

406-756-1266
FAX: 406-756-1270

August 3, 2015

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

Re: Justice of the Peace Daniel Wilson for District Court Judge

Dear Ms. Menzies:

I write this letter in support of Justice of the Peace Daniel Wilson (Dan) in his request to succeed the Honorable Ted O. Lympus, who steps down from the bench at the end of August.

My perspective is based on 41 years of practicing law in Kalispell, Montana, while having the privilege to observe all of the local district court judges serving since 1974 in a variety of lawsuits or cases while also observing other district court judges in nearly every judicial district in the State of Montana. I also have gained a perspective of appellate judges by having the privilege to appear and argue before the Montana Supreme Court and on several occasions to argue in the 9th Circuit Court of Appeals. In addition to the state court work, I practice law in the Federal District Courts of Montana and the bankruptcy court. I also advocate before federal administrative judges in Social Security Disability cases. I also have experience before the State Hearing Officers assigned to disputes resolved administratively as provided by the Montana Code Annotated. Hence, I believe I am qualified to express an opinion on who should be the next District Court Judge in Kalispell; and having done so, I am hopeful that my opinion may have some weight with the readers of this letter.

I practiced law with (against) Dan for many years before he became a Justice of the Peace. I also practiced with (against) his attorney spouse, Tia Robbins, before she took a full-time position with the Northwest Montana Realtors' Association. Dan's experience in state and federal courts served him well. He has demonstrated to me, by way of motion practice and brief writing, a keen knowledge of the law with an honest presentation of facts based on the law. Honest, straightforward, courteous, considerate, with little, if any, hyperbole, is how I would describe Dan as a lawyer in private practice.

August 3, 2015

Judicial Nomination Commission

Attn: Lois Menzies

Office of Court Administrator

Re: Justice of the Peace Daniel Wilson for District Court Judge

Page Two

As a lower court judge, I can only compliment him subject to the caveat about his early dealings with pro se litigants as stated below. With lawyers present, from day one on the bench, Dan has been prepared and he goes to the controlling issues by asking pertinent initial questions, to be followed up by further questions as the case proceeds. He is courteous to all of the lawyers and permits them to present a case, subject only to the rules of evidence, without disfavor to the attitude of or skills of the presenter. Dan understands that the clients deserve a considered ruling, based on the rules of evidence, and it is not the lawyer's case. At the same time, he does not "help" a lawyer who should have pled an alternative cause of action by giving out advice — as has occurred in my experience in the courtroom.

The caveat applies to Dan's first few months on the bench when pro se litigants appeared, un-schooled on the rules of evidence, and ready for "argument" that justly turns a judge "red in the face." Dan would explain his role and the need to abide by the rules of evidence, even when the lay person knew nothing about objections. I and a few others reported to Dan that the pro se litigants had been intimidated by his inquiries and command of his courtroom. Dan listened, and I am happy to say that his demeanor for pro se litigants changed with patience and with willingness to explain that proper presentation gave him the right to disregard testimony or evidence presented, should proper objections on relevance of hearsay not be made. As a result of being "fully heard," the pro se litigants report having a fair hearing — win or lose — in contrast to thinking there was a need to stop talking and not present further testimony.

In the District Court setting, Dan is prepared for the pro se litigation in the domestic relations area.

Our district court needs a judge who is smart, is a master of the rules of evidence, and is willing to rule promptly and not let matters languish. Dan understands that his decisions are important to those who have disputes and there is nothing worse than waiting for a ruling. Dan has been prompt in his rulings and there is no reason to believe that he would not continue to hand down decisions and stay current in handling district court cases.

I speak highly of Dan's work ethic. I hope he is given the chance to set the standard for his colleagues in Kalispell.

August 3, 2015

Judicial Nomination Commission

Attn: Lois Menzies

Office of Court Administrator

Re: Justice of the Peace Daniel Wilson for District Court Judge

Page Three

I suggest to you that a legal brief submitted to Dan would be less lengthy than I believe is required for some judges who have not had a great diversity of legal work during his or her private practice. The local bar would know that Dan does not need as much "education" on the principals of law as might be the case for one of his colleagues.

Diversity on the bench is important; and the litigants and advocates and general public are sensitive to gender bias. However, with Dan, the gender issue is a non-issue because his wife is a lawyer and she would not tolerate gender bias by her husband in determination of issues. This may be important in domestic relations cases; and I, for one, am confident that no person would be favored by reason of his or her sex in division of assets, child custody or child support conflicts.

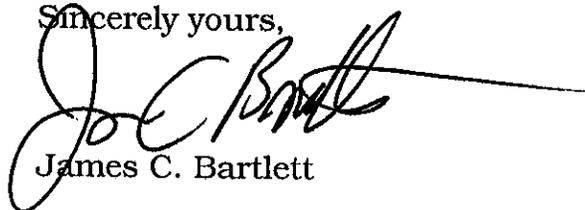
It is with great pleasure that I recommend that Daniel Wilson be selected as one of the names to be submitted to Governor Bullock. And, should that occur and Governor Bullock reads this letter prior to the interviews, I believe that he will rest assured from the interview that "justice delayed" comments will not come back to him. Dan's election to the bench following his appointment will be the likely result in the future.

It is important that a person has an early desire to be a judge because it is a chosen path for a career rather than to be an ending point for persons as old or nearly as old as I am. Young jurists are so important to an effective judicial system.

Finally, Dan and Tia have a young family, and the Flathead Valley is important to them and their family. Tia has roots in the Valley. Community service has been an important aspect for both of them. Giving time for community service is a plus for judicial temperament.

Thank you for reading this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James C. Bartlett", with a long horizontal line extending to the right.

James C. Bartlett

JCB : mb

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: Dan Wilson & Jim Cossitt

Dear Commissioners:

I am writing to provide input on the applications of Dan Wilson and Jim Cossitt to replace the Hon. Ted Lympus.

I have reviewed both applications and have had significant dealing with both applicants. Neither is qualified to be a judge, albeit for different reasons.

My observation of JP Wilson's performance is that he is able to apply the law to the facts, but often fails to be able to do so in a manner that achieves justice.

Although I have prevailed well before JP Wilson, there is one instance I will never forget. I was in the courtroom, but it was not my case. An elderly lady (in her 80s) from Whitefish was charged with misdemeanor assault for placing a kiss on her daughter-in-law's forehead during an argument-hardly a situation requiring prompt administration. The defendant was a long time resident of Whitefish, a former City Council member and a pillar of the community. Although I don't know, I strongly suspect this was the first and only time she had been charged with a crime. She retained a local attorney. Shortly before the bench trial, her lawyer's mother fell, broke her hip, and was dying. The attorney flew to Texas to be at his mother's bedside for her final moments. The defendant was terrified of going to trial without an attorney. I don't recall for certain, but my recollection is that her attorney had contacted me by email and asked me to request JP Wilson to continue the trial until he could return. I definitely recall that the defendant made the same request of me in the courtroom. I communicated the situation to JP Wilson and requested the matter be continued. JP Wilson denied the request on the basis that I was not the defendant's attorney. That was factually correct, and may have been the correct application of the law, but was clearly not justice. A judge who wanted to apply the law to the facts to achieve justice would have continued the matter on the court's own initiative to allow the defendant to have the benefit of counsel. The defendant was convicted, which may have been the result with or without counsel, but it was not a just administration of the case.

Judicial Nomination Commission
c/o Lois Menzies
August 17, 2015
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I have also observed that JP Wilson is verbally abusive to *pro se* parties. I have not observed the same lack of courtesy to attorneys. I know that JP Wilson aspires to, and ran for, the District Court bench. I think he views the JP position as a consolation prize and/or on-deck position, and he clearly evinces that he is not happy as JP.

Mr. Cossitt is fundamentally dishonest, and has anger management and personality issues that make him unqualified to be a judge in any capacity.

Shortly after Mr. Cossitt moved to Montana, I referred a case to him. Before doing so, I requested his hourly rates in writing and reviewed them with my client. Mr. Cossitt then billed the client at a higher rate. When I brought this to his attention, he claimed that he has sent the client and me an outdated fee schedule. I insisted that he honor the rates provided to the client and he agreed. Mr. Cossitt then missed a filing deadline in the case. He agreed move to have the default set aside at no cost to my client. Before filing, Mr. Cossitt sent me a copy of his Motion to Set Aside the Default. The draft Motion contained information that I knew to be false. After consulting with another attorney, I communicated to Mr. Cossitt that if he submitted the Motion as drafted, as an officer of the Court, I would have to bring the falsehood to the Court's attention. Mr. Cossitt described his plan as "a brain fart" and agreed not to submit the false information. The default was set aside, but Mr. Cossitt billed the client for those efforts despite his agreement not to. The client submitted the billing issue to the Bar's fee arbitration process. Mr. Cossitt refused to participate and the arbitrators ruled in the client's favor. A District Court Judge cannot have "brain farts," particularly involving dishonesty.

Mr. Cossitt's anger management/personality problems are well known among the local Bar. His 2001 felony assault with a weapon involved him firing at a person and/or the person's dog when the dog bumped him while skijoring. Although his application describes the charge as having been dismissed, I believe that was the result of a deferred prosecution agreement in which he tendered a plea of guilty. His application shows a subsequent 2008 conviction. He has had numerous angry conflicts with clients, employees and fellow attorneys that clearly evidence that he is unqualified to be a judge.

If you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

THOMAS T. TORNOW, P.C.

Thomas T. Tornow

By: Thomas T. Tornow

Cook, Kevin

From: Menzies, Lois
Sent: Monday, August 17, 2015 2:58 PM
To: Cook, Kevin
Subject: Public Comment -- Wilson

From: Rex Boller [<mailto:r3x@bresnan.net>]
Sent: Friday, August 14, 2015 12:01 PM
To: MT Supreme Court,
Subject: Judicial Nomination - Lois Menzies

I would like to recommend Dan Wilson as a replacement for Retiring Judge Ted O'Lympus in Flathead County District Court. I have known Dan Wilson for many years and he is well respected and has done an outstanding job as two terms in Justice Court, and would do a very good job for all of the citizens of Flathead County.

In particular for Court Appointed Special Advocates (CASA) of which I have been for 15 years, and which Judge O'Lympus has been great, I know Dan Wilson would be equally good, and this is a very important need.

Dan would not let politics influence his work and accordingly should not influence the appointment of Dan Wilson for this judgeship.

Thank you for your consideration,

(I have enclosed my summary resume for your review).

I would appreciate if you would acknowledge receiving this email

Sincerely,

Rex Boller, CPA
Certified Appraiser
(Business & Real Estate)
Real Estate Broker, Consultant

320 Lakeside Blvd.
Lakeside, MT 59922

KENT P. SAXBY

Attorney at Law
309 Salish Court
Kalispell, Montana 59901
Telephone: 406-755-5535
Telefax: 406-756-9436

August 17, 2015

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

RE: Montana Eleventh Judicial District Court Judicial Vacancy

Dear Members of the Judicial Nomination Commission:

I am writing to you for the purpose of expressing my support for Dan Wilson who I believe is unquestionable the best applicant who is seeking to be appointed as a District Court Judge to fill the current judicial vacancy given the recent retirement announcement of Judge Ted Lympus. By way of background, I was admitted to the Montana Bar in 1981 and have now been in private practice with the same Kalispell law firm for more than 30 years. During much of that time Dan Wilson has also been in Kalispell; initially, I believe, with the Office of the Flathead County Attorney, then in private practice and most recently serving as a Justice of Peace in this County. I believe Dan's background and experience clearly make him the best candidate to be appointed as a District Court Judge. His experience serving as the Justice of Peace also makes him the only applicant who will be able to "hit the ground running" so to speak, which is a critical need given the significant number of matters pending before the Eleventh Judicial District Court, including the many matters which are assigned to the Judicial Department over which the newly appointed Judge will preside. During the time that Dan has served as the Justice of the Peace, he has also shown that he has the ability to keep his docket current, and has also demonstrated the right judicial demeanor. While my practice before the Justice Court has been very limited during the period that Dan has served as the Justice of the Peace, it is my understanding and belief that his judicial decisions are based on careful, appropriate legal analysis and are generally correct. In short, I believe Dan Wilson is far and away the best candidate and most qualified candidate for this District Court vacancy, and it is without any reservations that I am writing this letter in support of him.

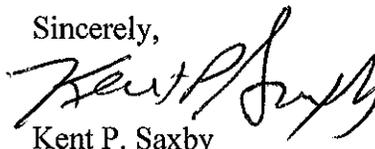
I would also like to take this opportunity to comment on one of the other applicants; specifically Jim Cossitt. I have also know Jim for many years, and unfortunately, I feel quite strongly that he would be a very poor District Court Judge. While I recognize that it likely quite unusual for comments to be submitted which oppose a particular applicant, in this instance I feel it is critical for the Commission to be aware of the reservations which I have (and which I am sure many other members of the local Bar have) about this particular applicant. During the time that Jim has practiced law here in the Flathead Valley he has experienced a great deal of difficulty in dealing with other members of the Bar. His personality, demeanor and his approach to the practice of law all combine to generally make any matter in which he is involved a difficult undertaking. If there is an easy way and a hard way to address or resolve a matter, Jim seems to relish pursuing the more difficult way. It also seems to be his practice to threaten the

opposing party, and/or his or her legal counsel, with sanctions or unethical conduct. I am not sure how often Jim has taken steps to file complaints with the Commission on Practice regarding purported ethical violations by opposing counsel, but I am sure that it has occurred on a number of occasions, and I am equally certain that most of those instances were without merit. Jim has also become embroiled in civil litigation with a neighbor, a former employee and, I believe, several other individuals. I can personally attest that the litigation with both his neighbor and his former employee were over quite trivial matters that a more reasonable individual would almost certainly not have pursued.

Simply stated, I do not believe Jim has the common sense and demeanor to be a Judge. This fact is quite clearly demonstrated by an altercation in which he became involved with another individual while both individuals were recreating at a County park. I do not know all of the particulars of that matter, but words were exchanged, the matter escalated, Jim returned to his vehicle and was followed there by the other individual, at which point Jim retrieved a gun from his vehicle and fired one or more shots. I do not believe that Jim was pointing the gun in the direction of the other individual at the time it was discharged, but the mere fact that he would respond in this manner speaks volumes about him. Additionally, it should be noted that Jim's conduct did result in criminal charges being filed against him, although I do not know how that criminal case was eventually resolved. The charges may have subsequently been dropped.

In closing, I hope these comments are of benefit to the Commission as it considers what names to forward to Governor Bullock for his consideration. Additionally, I would like to thank each member of the Commission for your time and service on this Commission. Please do not hesitate to contact me if anyone would like to discuss with me anything which is contained in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent P. Saxby". The signature is written in a cursive style with a large, prominent initial "K".

Kent P. Saxby

August 19, 2015

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

Dear Judicial Nomination Committee:

This letter is written in support of Daniel R. Wilson, an applicant for appointment to the Eleventh Judicial District Court in Flathead County.

Whereas the judicial aspects of Wilson's candidacy are best left to persons informed in matters of law, the purpose of my communication is to describe the nature of his humanity--of his character, integrity and versatility as a fellow traveler in life. My view of Daniel Wilson is one of long term and unique perspective because he is my son-in-law, someone whose talents and conduct have proved exemplary, inspirational, and on-going. He is an excellent writer and speaker, physically active, good with a fly rod--and a nimble friend to mountain trails and his saxophone and flute.

As the steadfast husband of my daughter and compassionate, dedicated father of my grandchild, I stand in witness to his commitment as a leader and respected citizen. With no expectation of recompense or praise, Dan has proved himself as a volunteer, giving time and service to individuals and community organizations that improve lives and grant relief to the discomforts of they who are disadvantaged.

As someone up close to the wide-ranging proficiencies of Daniel R. Wilson, I urge that you grant serious attention to his intellect, sense of fair play, dedication to duty, and professional experience. In every aspect, he is a qualified replacement for the Honorable Ted Lympus.

Sincerely,

Rand K. Robbin

Rand K. Robbin

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 21, 2015 3:07 PM
To: Cook, Kevin
Subject: Public Comment: Wilson

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

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

24 August 2015

Dear Lois Menzies,

I write to support the request for appointment to the Montana District Court Judgeship for Flathead County of the Honorable Dan Wilson. I have known Mr. Wilson for fifteen years and have served with him on the board of the Daybreak Rotary Club of Kalispell. I see him nearly every week and have plenty of opportunity to discuss various issues and topics with him.

Dan Wilson is a man of total integrity and has always displayed sound and principled judgement. He is a hard working Justice who has cleared a large backlog of cases in his court. Dan Wilson is an incredibly intelligent person who works well with all kinds of people in a productive, thoughtful, and civil manner. He would be a superb Montana District Court judge. For these reasons I strongly recommend that the Commission select Dan Wilson for the vacancy to the District Court in the Flathead County.

If I can help his application in any manner, please contact me at the addresses below. Thanks.

Yours,

James Scott Wheeler
Colonel and US Military Academy Professor (retired)
1110 Bald Rock Road
Kalispell, Montana
59901
Email: jwheeler@bigsky.net
406 755 0003

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, August 25, 2015 3:56 PM
To: Cook, Kevin
Subject: Public Comment: Wilson

From: R. Ashton [mailto:snoshoe_2@yahoo.com]
Sent: Saturday, August 22, 2015 2:13 PM
To: MT Supreme Court,
Subject: public comment, Judge Wilson

This is a follow up to my previous comment.

In the TOP I requested, it specifically says: "In signing a dismissal or denial of protection order, you the judge acknowledge you have fully read this application and are in support of bullying, emotional abuse, causing people to be made suicidal, and have no care for the people in Flathead County."

The application, previously mentioned was signed with no comment on this. I do not believe Judge Wilson even read my application before denying it with no hearing allowed. I applied a motion to allow a hearing, per application instructions, which was also denied.

How does this protect the public, or justice?

Sincerely,
Robin Ashton



August 26, 2015

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

Re: Application of Dan Wilson

Dear Commission Members:

Before he was first elected as judge in 2010, Dan Wilson represented Valley Bank of Kalispell for years in a range of matters from loan disputes to foreclosures and environmental concerns. He provided capable legal advice and representation to various officers within the bank. I was glad to see he applied for the position being vacated by retiring judge Ted Lympus. I believe Dan would be a competent and hardworking judge for Flathead County and I recommend him highly.

Sincerely,

Ron R. Rosenberg
President
VALLEY BANK OF KALISPELL
rrosenberg@valleybankmt.com
406-752-7123

Mark R. Sullivan
100 Aspen Drive
Kalispell, MT 59901

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

RE: Judicial application of Daniel R. Wilson – 11th Judicial District

Dear Members of the Commission:

I have known Dan Wilson since he first began working in Flathead County and have worked closely with him for the last four and a half years. I am the other Justice of the Peace for Flathead County.

I first worked with Dan when he was a deputy county attorney here in Flathead County. He was then an effective and ethical prosecutor. He was an asset to the county then and continues in public service to be an asset. I took over Dan's caseload when he left the service of Flathead County as a public defender, his next role after leaving the County Attorney's office. The cases I assumed were well organized and the transition was smooth. Dan was a zealous advocate. The point of my describing these aspects of Dan's past work are to demonstrate his thorough knowledge of criminal law in Montana as well as his commitment to the ethical practice of law.

Dan appeared in front of me in at least one civil case during my first term as a Justice of the Peace. Dan's advocacy was exemplary.

It has been my observation that Dan is an extremely hard worker and has always been prepared both as an advocate and as a judge. In light of the heavy case load our District Court experiences, the type of hard work demanded is not an aspect of this position to be taken lightly. Judge Wilson is ready to take on this task. He has no case backlog in Justice Court. I can assure you this is no easy accomplishment and a reflection on his ability and dedication.

Page two

Dan has a thorough knowledge of the law. He and I have been on panels at our semi-annual judicial education events. His preparation and research have been first rate. You can expect no less from him as a District Court Judge.

Most of our litigants in Justice Court appear without counsel. It takes experience to learn to deal with individuals who have limited knowledge of substantive and procedural law. District Courts in Montana are seeing an increasing number of unrepresented parties in nearly every type of action. Dan' experience as a Justice of the Peace will be valuable to the District Court in patiently hearing cases with unrepresented litigants.

Dan is also civic minded and has been a member of Rotary for several years and served as president of his club. He is a well respected member of the community.

I wish to disparage none of the other candidates. I have not observed all of them in my prior private practice or from the bench. Some of them do not appear in court on a regular basis. Dan Wilson has the most relevant courtroom experience of all of the candidates and has the right temperament for the position. I believe that Dan Wilson is uniquely qualified to serve as our next District Court Judge and it is my sincere belief that no other applicant is as qualified or able to take on this important position.

Sincerely,



Mark R. Sullivan

Bruce A. Measure
635 Fifth Street East
Kalispell, Montana
59901

Judicial Nomination Commission

% Lois Menzies

Office of the Court Administrator

Post Office Box 203005

Helena, Montana 59620-3005

August 19, 2015

Regarding: vacant seat on the Eleventh Judicial District Court

Dear Governor Bullock, Members of the Commission, Officers of the Administrator,

I'm writing in support of Daniel R. Wilson to fill the vacancy in the Eleventh Judicial District seat being vacated by the retirement of Ted O. Lympus. Justice of the Peace Wilson and I were partners in the Law firm of Measure and Wilson (now Measure, Sampsel, Sullivan and O'Brien) from 2001 until his election to his current Justice of the Peace position.

Dan always exhibited an attention to detail and timely diligence to every case that he accepted, and I would often find him leaving the office for breakfast after working to complete a brief or other submission all night. I believe that Daniel Wilson will bring the same timeliness and diligence to the District Court. As an example, when Justice Wilson assumed the Justice of the Peace seat there were approximately 70 undecided cases on the docket some of them waiting more

than 2 years for a decision. Within 7 months the docket was current and to the best of my knowledge has never fallen behind since.

I also believe that Dan has represented as broad a range of cases as all but a very few Montana jurists. Dan was the defense counsel in U.S. v. Peterson, 121 F. Supp.2d 1309 (2000) where Peterson and his companion were charged with violating the Lacey Act for hunting a Bighorn sheep inside the eastern boundary of Glacier Park. Both had Tribal Hunting Permits. The defense was essentially two fold, no clear delineation between the Park and Reservation Boundaries and immunity from prosecution due to tribal reservation of hunting rights when they ceded the eastern portion of the Park to the U.S. The case had multiple facets and the Tribe was concerned that a favorable decision for Peterson could have negative implications for long term Tribal goals. The Ninth Circuit appeal was dismissed prior to a decision based on Peterson's deference to Tribal goals. Few of us have faced that type of complex consideration in our practices.

With the 11th Judicial District settled between the Blackfeet and Confederated Salish & Kootenai Tribal Reservations, and in light of the amount of attention given consideration of the Water Compact between the State of Montana, The Confederated Salish and Kootenai Tribes, and the United States, I would be hard pressed to find anyone more competent than Dan Wilson when it comes to professionally addressing Tribal v. State v. Federal issues.

In short, I can't think of a better candidate to replace Judge Lympus.

Sincerely,



Bruce Measure

August 24, 2015

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

Re: Eleventh Judicial District Court vacancy

Dear Members of the Nomination Commission:

Please consider this letter written in support of Judge Dan Wilson's application to be appointed as District Judge of the Eleventh Judicial District.

In my tenure as Flathead County Justice of the Peace, 1985-1999, and Eleventh Judicial District Court Judge, 2000-2013, I have had many opportunities to observe Judge Wilson as a deputy County Attorney, an attorney in private practice, and as the current Flathead County Justice of the Peace. He always appears timely, is courteous, professional, efficient, and extremely well prepared. He has an exceptional knowledge of the law, both civil law and procedure and criminal law and procedure, and appears to be the only candidate with meaningful experience in criminal law. He would be able to immediately and effectively function in an extremely busy District Court.

As I am sure the Commission is aware, one of the major complaints of our State District Courts is timeliness. When Judge Wilson became Flathead County Justice of the Peace, he not only was faced with a continuing large case load in a busy limited jurisdiction court but also over 60 matters that were previously heard and pending decision. Within seven months he was able to confer with all parties, rehear the cases as necessary, and issue rulings. During this period he still managed to keep the Justice Court current and on schedule. This history insures that the District Court would function in an efficient and timely fashion.

Judge Wilson's work ethic and diverse legal experience make him the most qualified to become the judge of the Eleventh Judicial District Court. He would be an outstanding asset to our State Court judiciary. Thank you for your

consideration, and if additional information would be helpful, please feel free to contact me.

Yours sincerely,

A handwritten signature in black ink that reads "Stewart E. Stadler". The signature is written in a cursive style with a large initial 'S'.

Stewart E. Stadler
11th Judicial District Court Judge (retired)
1267 Birch Hill Dr.
Whitefish, MT 59937
406 862-2045/millie8@bresnan.net

Judicial Nominating Commission:

8/25/15

I would like to recommend Dan Wilson for the Eleventh Judicial District Judge position.

I have known Dan and his family for several years and have had the opportunity to work with him on a number of projects.

He is definitely a team player, often thinks outside of the box, isn't afraid to speak his opinion, and is well-versed and experienced in the law.

I think Judge Lympus leaves big shoes to fill, but am confident that Dan will be more than capable of stepping into this demanding job.

As a voter in this community, I feel we need someone who is impartial when it comes to the law, is articulate, has the drive, energy, leadership and integrity to fill this position. Dan Wilson is that man.

If you have any questions or need further clarification, please feel free to contact me:

Nancy Ross
1248 8th Ave. E.
Kalispell, Montana 59901
Ph. 406-755-0300 cell: 406-270-5786

Sincerely,



Nancy S. Ross

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 28, 2015 3:24 PM
To: Cook, Kevin
Subject: Public Comment: Wilson

From: Bruce Young [<mailto:byoung@montanabythelake.com>]
Sent: Tuesday, August 25, 2015 3:53 PM
To: McLaughlin, Beth
Subject: 11th District Court Nominations.

Montana Committee for Court Nominations.

Ladies and Gentlemen,

Thanks you for the opportunity to comment on the parties who have submitted an application for the 11th District Court to replace Judge Lympus.

The Flathead Court has had the stability of good judgment of the laws for many years and we hope and expect to see this fine record continue. We hope you fill this position with an individual who has the ability to see both sides of the issues and apply them correctly in interpreting the law. We also like the new Judge to be efficient , competent, and non partial in rendering their decisions.

As a life long resident and a follower of our courts it is my honor to recommend Dan Wilson to you as a highly competent applicant for the position as Judge in the 11th District Court.

I believe Dan Wilsons past training both as a prosecutor and defendant's lawyer, as well as his private practice and his 5 years as a Justice of the Peace give him the best platform to step into Judge Lympus former position with as little disruption as possible in maintaining speedy justice in the Flathead.

Dan Wilsons skill set, make him a perfect man for the job. I might add Dan Wilson is a well respected family man and community member who has put in 20 good years of broad based legal services to people in the Flathead Valley.

I thank you again for the opportunity to comment on the applicants and for your service to this process.

Sincerely,

Bruce A. Young

Box 91

Lakeside,Mt.59922

O'NEILL LAW OFFICE, PLLC

402 First St. East, Suite 201
P.O. Box 699
Polson, MT 59860

MATTHEW H. O'NEILL
Attorney at Law

Telephone: (406) 883-5444
Fax: (406) 883-1585
matt@polsonlaw.com

September 1, 2015

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

Dear Judicial Nominations Commission:

I am writing to recommend Dan Wilson to succeed the Honorable Ted O. Lympus in the 11th Judicial District Court.

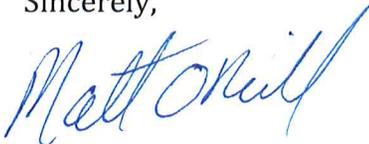
I have litigated with and against Mr. Wilson for over a decade. I have represented clients appearing before him as Justice of the Peace. It is my opinion that Mr. Wilson has the proper balance of actual experience and judicial demeanor to be a great District Court Judge.

Every jurisdiction needs and wants judges who will work hard and be honest. That's a given. But what the Eleventh Judicial District Court really needs is a person who will not require a "training period" to learn criminal law, or domestic case law, or how to conduct a jury trial, or how to deal with pro se litigants. The backlog of cases that exist in this District Court will grow exponentially unless this appointee can hit the ground running.

The Eleventh Judicial District Court needs a judge who already knows how to be a judge, not someone who needs time to learn. We need a judge who will provide continuity and consistency to the court, so we need an appointed judge who can get re-elected in Flathead County.

From my vantage point in Polson, there is only one candidate who fits the bill and that is Dan Wilson.

Sincerely,



MATTHEW H. O'NEILL

MHO:bjr



EDMISTON & COLTON LAW FIRM

310 GRAND AVENUE • BILLINGS, MONTANA 59101
PHONE: 406.259.9986 • FAX: 406.259.1094
WWW.YELLOWSTONELAW.COM

JAMES G. EDMISTON, III
SHANE D. COLTON

August 27, 2015

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

Re: Letter in support of Daniel R. Wilson for
Montana Eleventh Judicial District Court Judicial Vacancy

Dear Judicial Nomination Committee:

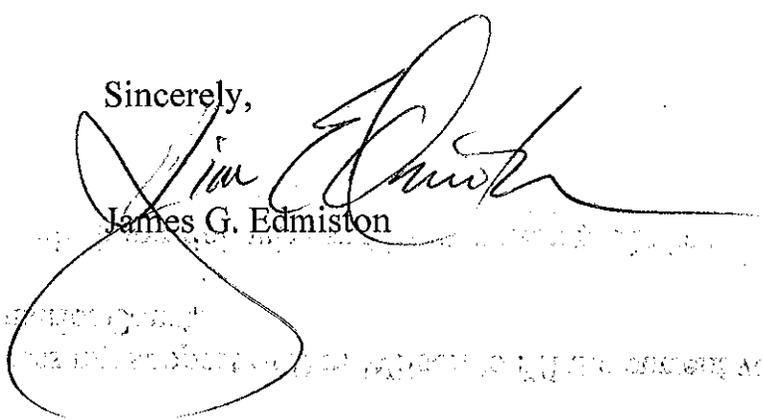
I am writing to express my support of Dan Wilson to fill the current vacancy in the Eleventh Judicial District Court,

Dan is experienced, fair, impartial, wise and hard working. He has everything the public and lawyers want and need in a judge. He would make a fine District Court Judge.

I urge the Judicial Nomination Commission to send his name on to Governor Bullock and I hope that Governor Bullock appoints him.

Thank you.

Sincerely,


James G. Edmiston

Dennis L. Green
1906 Four Mile Drive
Kalispell, Montana 59901-7113

August 25, 2015

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

Re: Recommendation -- Judge Daniel Richard Wilson's-request to fill District Judge Vacancy.

Dear Commission Members,
I am writing this letter of support for several reason.

1. I am a resident of Flathead County where this vacancy is available.
2. I am semi-retired and active in the community.
3. I feel it is important to give constructive input to assist in this appointment process.

We (Citizens of Flathead County, residence of Montana) need a Judge who has integrity, who knows the law, is impartial and fair minded, is not afraid to make decisions, will make timely decisions, will accept and complete the administrative duties required to fill this important position.

Judge Daniel Richard Wilson is the man that should fill this District Judge vacancy because he has the qualities previously given as needed and he has the desire to serve.

I support Judge Daniel Richard Wilson and I ask you to do the same.

Sincerely,



Dennis L. Green

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, September 1, 2015 3:04 PM
To: Cook, Kevin
Subject: Public Comment -- Wilson

From: Mark Holston [<mailto:mholston@bresnan.net>]
Sent: Monday, August 31, 2015 10:17 PM
To: MT Supreme Court,
Subject: Flathead Co. District Judge letter of support

Mark Holston
104 Northern Lights Blvd.
Kalispell, MT 59901

mholston@bresnan.net
406.752.8959

September 1, 2015

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

To Whom It May Concern:

It is my pleasure to offer this brief statement in sincere support of Daniel Richard Wilson to be appointed to the position of district court judge for the 11th Judicial District in Flathead County.

I have known Dan for over 25 years. I've seen him accept and carry out an important leadership role in the local Democrat Party, serve with distinction as a member of the Flathead County Attorney's office, and earn well-deserved respect in his elected position as justice of the peace. Our paths have crossed frequently, and I know him to be a devoted family man and a civic-minded leader who is highly regarded in our community.

His professional activities as an attorney, a member of the county attorney office's legal staff, and an elected JP make him uniquely qualified to serve the citizens of Flathead County as their next district court judge.

Dan has the even-handed temperament, wisdom, legal knowledge and variety of life experiences that will serve him well on the bench. I heartily suggest that you give him the highest consideration and I am confident that when his qualifications are closely examined, Dan will emerge as the clear and logical choice to fill this important position.

Sincerely,

Mark Holston

Mark Holston

PS: Signed paper copy is being mailed as well.

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, September 1, 2015 3:03 PM
To: Cook, Kevin
Subject: Public Comment -- Wilson

From: Tracy Axelberg [<mailto:tracy@axelbergmediation.com>]
Sent: Monday, August 31, 2015 9:03 AM
To: MT Supreme Court,
Subject: Eleventh Judicial District

Dear Commissioners-

I am writing to commend to you my friend and colleague, Dan Wilson, for the seat vacated through the retirement of the Hon. Ted Lympus.

I have known Dan for 17 years. We practiced together in Kalispell as members of the Northwest Montana Bar and I have served as a mediator in a number of cases in which Dan was representing one of the parties. Most recently, Dan has served our bar with distinction as a Justice of the Peace.

I litigated civil cases in Montana from 1986-2011, all over the state. I have come to appreciate a judge who has good temperament, a steady, unflinchingly honest hand and a solid work ethic. Dan has these qualities and would serve well the people of the Eleventh Judicial District.

Please give Dan your serious consideration. Thank you.

Tracy Axelberg
Axelberg Mediation and Arbitration, PLLC

Sent from my iPad

September 1, 2015

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

Re: *Daniel R. Wilson*

Dear Judicial Nominations Commission:

I understand that Dan Wilson has applied to fill the vacancy in the District Court in Flathead County. I write to express my support for his appointment.

From 1989 to 1995, I served as a Cascade County Commissioner. Dan became a deputy county attorney in Cascade County after his graduation from law school in 1993, and as part of his duties he provided legal advice and representation to the County Commissioners.

Dan was hard-working, thorough, humorous and thoughtful – all characteristics which will serve him well as a district court judge. I encourage the Commission and the Governor to appoint Dan Wilson to fill the District Court seat in Kalispell.

Sincerely,


Harry Mitchell
4510 13th Street South
Great Falls, MT 59405-8123

Wayne A. Miller, MD, FACS, FACHE
1200 Old Timber Trail
Kalispell, MT 59901



30 August 2015

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

Re: Vacancy in 11th Judicial District

Dear Ms. Menzies and Commission Members:

I write in support of Daniel R. Wilson to fill the vacancy in the 11th Judicial District Judgeship created by the retirement of the Honorable Ted O. Lympus. I have known Dan personally and have observed him professionally for several years.

I encourage your support in naming him to this position.

Cordially,

Wayne A. Miller, MD

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

Date: September 1, 2015

Re: District Court Judge positions Kalispell

Dear Commission Members,

It is my pleasure to write this letter of recommendation for Dan Wilson's candidacy for the court position opened by the retirement of Judge Lympus.

I have had the opportunity to work with Dan when he was in private practice and more recently as fellow member of Daybreak Rotary.

Dan is a man of high integrity; he's fair, balanced and focused on getting things done correctly, consistently and in a timely manner.

I believe Dan has the judicial/legal skills and the people skills to be an outstanding judge. I have no doubt that he'll serve the public with unquestionable integrity, humility and distinction.

I highly recommend him for the District Court position opening.

Should you have questions of me or need additional information. Please don't hesitate to call me at 406-756-4256 or 406-249-4556. You can also e-mail at dtbeams@gmail.com or write me at my home address (see below).

Sincerely;



**Dennis S. Beams
732 Kookoosint Trail
Kalispell, Mt. 59901**



WORKERS' COMPENSATION COURT

DAVID M. SANDLER
JUDGE

Judicial Nominations Commission
Office of the Court Administrator
P.O. Box 203005
Helena, MT 59620-3005

Re: Eleventh Judicial District Court Vacancy

Dear Judicial Nominations Commission,

I write in support of Dan Wilson's application for appointment to the vacancy in the Eleventh Judicial District Court, and urge you to forward his name to Governor Bullock as one of the finalists.

I met Dan shortly after I moved to Kalispell in 1999. Although we generally practiced in different areas of the law, he served as one of my mentors. As a practicing lawyer, Dan earned a reputation for being ethical, professional, and fair.

Dan is a hard-working Justice of the Peace. Two summers ago, I represented a person who had been charged with a misdemeanor. At a hearing on a motion to dismiss in which I raised a constitutional issue, Dan was as prepared as any judge I have seen. It was clear to me that Dan knew the intricate facts of the case, that he had studied all of the applicable case law; and that he was there to ask me and the Deputy County Attorney the difficult questions. During the times I have been in his courtroom, he was polite to everyone and kept the proceedings moving.

I also know Dan to be a devoted husband and father, and actively involved in our community.

Please contact me if you have any questions.

Sincerely,

David M. Sandler
Judge, Montana Workers' Compensation Court

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 4, 2015 2:29 PM
To: Cook, Kevin
Subject: Public Comment: Wilson

From: Bob Wood [<mailto:BWood@helenamt.gov>]
Sent: Friday, September 04, 2015 11:08 AM
To: mtsupremecourt@mt.gov.
Subject: 11th Judicial District

Re: Dan Wilson

Members of the Commission:

Please excuse the e-mail.

I write to support my colleague, Dan Wilson. I have gotten to know Dan at judge meetings. He and I worked on a presentation at Judges' School. Frankly, he carried the vast amount of preparation when I took ill. He handled the extra work with grace and humor. He is known to all of us as one of the brightest and knowledgeable members of our judiciary. He is also a genuinely nice man. His demeanor would serve him well on the bench. I hope you will allow Dan to show you what we already know. He is and will be a fine judge.

Respectfully,

Bob Wood

Robert J. Wood, Judge
Helena Municipal Court
228 Broadway
(406)447-8465

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 4, 2015 2:28 PM
To: Cook, Kevin
Subject: Public Comment: Wilson

From: Todd Hammer [<mailto:toddhammer@attorneysmontana.com>]
Sent: Friday, September 04, 2015 8:13 AM
To: MT Supreme Court,
Subject: Recommendation for Dan Wilson

Judicial nominations committee:

Please let this e-mail and letter serve as an endorsement of any Dan Wilson for the position of District Judge in the Montana Eleventh Judicial District of the State of Montana, replacing the Hon. Ted O. Olympus, who is now retired.

I have known Dan for many years. When he was in private practice, as a litigator, he was known for his trial skills. He was a zealous advocate of his clients. He was also an able trial lawyer who could handle difficult cases involving complex and difficult direct and cross examinations.

I have also known him as he has sat for several years on the bench as a Justice of the Peace. His temperament is among the best. He is able to balance the interests of the opposing sides, he is able to sift through and analyze various positions of the parties, and he is skilled at researching the law and applying the law to the facts of the case. He is fair in his judgments, and he would make an excellent District Court Judge.

He brings to the bench an excellent demeanor. He is calm, reserved and an intelligent person under fire. His personality traits are consistent with being a good judge.

Thank you very much.

Portions of this e-mail were transcribed using voice recognition software. Every effort was made to ensure accuracy; however, inadvertent computerized transcription errors may be present, and we apologize for any errors.

DO NOT read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee. If you have received this communication in error, please call us (collect) immediately at (406) 755-2225 and ask to speak to the sender of the communication. Also, please reply e-mail to the sender and notify the sender immediately that you have received the communication in error.

Thank you for your assistance.

Todd A. Hammer
Hammer, Jacobs & Quinn, PLLC
100 Financial Drive, Suite 100
P.O. Box 7310

Kalispell, MT 59904-0310
Telephone No: (406) 755-2225
Facsimile No: (406) 755-5155
e-mail: toddhammer@attorneysmontana.com

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 4, 2015 2:27 PM
To: Cook, Kevin
Subject: Public Comment: Wilson

From: Patricia Tucker [<mailto:timberlady@ix.netcom.com>]
Sent: Wednesday, September 02, 2015 11:53 PM
To: MT Supreme Court,
Subject: RE: Daniel R. Wilson - 11th Judicial District Court Judge Candidate

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

September 3, 2015

Honorable Commission Members,

Regarding the formidable task of a replacement for the retiring Honorable Judge O. Lympus, as a resident of Flathead County, I have spent some time reviewing the backgrounds of all the applicants. The residents of Flathead County deserve a District Judge who is non-biased; one who is chosen by merit and NOT by political attachments or political contributions.

Daniel R. Wilson already has an exceptional background as a JP, and the only candidate with experience on the bench; highly respected by his colleagues. Dan, with his tenacity to get all the facts, his integrity, his honesty and respect for the law strongly suggests that he is the better choice to be the next 11th Judicial District Court Judge. Dan is a very honorable man on the bench, in the community, and as a trusted friend. I trust that your decision will be based on merit and not on politics.

Thank you for allowing public comment for this most important court position.

Patricia Tucker
247 E. Many Lakes Drive
Kalispell, MT 59901

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, September 8, 2015 4:38 PM
To: Cook, Kevin
Subject: Public Comment -- Wilson

From: John Anderson [<mailto:minajohn1@gmail.com>]
Sent: Monday, September 07, 2015 7:01 PM
To: MT Supreme Court,
Subject: Dan Wilson for District Judge

We recommend Dan Wilson for District Judge. He is an honest Christian man and has done a good commendable job as a Judge and Lawyer in the Flathead Valley.

Sincerely, John and Mina Anderson
Kalispell, Montana

Cook, Kevin

From: Menzies, Lois
Sent: Tuesday, September 8, 2015 4:52 PM
To: Cook, Kevin
Subject: Public Comment -- Wilson

From: cainsmith@centurytel.net [<mailto:cainsmith@centurytel.net>]
Sent: Tuesday, September 08, 2015 4:26 PM
To: MT Supreme Court,
Cc: Mike Smith; cainsmith@centurytel.net
Subject: Dan Wilson - MT District Court Seat

To the Judicial Nomination Commission:

We urge you to name Dan Wilson to replace Judge Ted O. Lympus. Experience is extremely important and because Dan possesses experience as a judge he stands out from the other candidates. Dan's daughter has attended school with our children, so we have had the pleasure of knowing him for years. He is an extremely well respected member of the community and we are fortunate to have him in public service. We appreciate your consideration. Mike Smith and Kirsten Cain Smith, Kalispell

Audrey Barger
730 Bullhook Drive SE
Havre, MT 59501

September 8, 2015

Judicial Nomination Commission
Attn: Lois Merzies
Office of Court Administrator
P. O. Box 203005
Helena, MT 59620-3005

Re: Daniel Richard Wilson - Eleventh Judicial District Court Judge Vacancy
Judicial Nominee

Dear Members of the Commission:

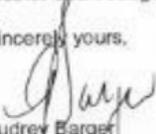
Dan Wilson and I currently serve the public in our respective roles as Judges of Courts of Limited Jurisdiction. He is a well-rounded candidate, being well versed in statutory and case law, rules of procedure (both criminal and civil), and rules of evidence. While this legal and procedural education will serve him well if appointed to the District Court Judge vacancy, many of the other applicants share these attributes.

Experience on the bench is what truly sets Judge Wilson apart from the other applicants. In addition to his education, he has demonstrated a great affinity and respect for the law. His track record on the bench reflects his understanding of the role of an excellent jurist: Impartiality, professionalism, dedication, and a call to public service.

Judge Wilson understands the importance of any decision he makes on the people and public standing before him, and he wields the great Constitutional and Legislative powers vested in his current position with careful consideration using a sharp legal mind. He is truly gifted in his work as a member of the judiciary and consequently, has earned the respect of his colleagues. Despite his acuity as a jurist, he remains patient, humble, unassuming, and hardworking.

For these reasons I ask that you strongly consider Dan Wilson's application for appointment as District Court Judge to fill the vacancy in the Eleventh Judicial District Court.

Sincerely yours,



Audrey Barger
Hill County Justice of the Peace

Thomas J. Esch

Attorney at Law
4 Meridian Court
Kalispell, MT 59901
(406) 257-1957

September 11, 2015

Sent via Email to: mtsupremecourt@mt.gov

Attention: Lois Menzes, Judicial Nomination Commission

I write in Support of Dan Wilson to be the next Flathead District Judge.

When I was the Flathead County Attorney twenty years ago I hired Dan to be a prosecutor. That was one of my best decisions. He has since become a personal and professional friend, and I have seen close hand his work as a prosecutor, defense counsel, litigator, judge and community leader. All of which has prepared him now to serve as our next District Judge.

Dan is very experienced in criminal law. He knows the codes, respects the Constitution and has great compassion for crime victims. He also respects law enforcement and is always available to review and issue search warrants.

As a Judge I know that Dan is also on top of his busy civil docket. I have served as his Judge Pro Tem when he is absent and know that his desk is organized and his files are complete. He treats counsel and litigants with dignity and respect. We need a Judge that can stay on top of the caseload, and Dan has demonstrated this ability.

Dan believes in a fair and impartial bench. He is beholding to no particular segment of the bar, such as the plaintiff's bar or the defense bar. Everybody starts with a clean slate and fair shake.

Dan has a strong community spirit, have served as our Rotary President, is active in the Lions Club and has been active in his church. He values his marriage and is an outstanding father.

Thus it is without reservation that I enthusiastically recommend Dan for appointment as our next District Judge.

Sincerely,

Tom Esch

Cook, Kevin

From: Menzies, Lois
Sent: Sunday, September 13, 2015 8:04 PM
To: Cook, Kevin
Subject: Public Comment -- Wilson

From: Astrea Benesh [<mailto:astreaceleste.1991@gmail.com>]
Sent: Saturday, September 12, 2015 10:21 AM
To: MT Supreme Court,
Subject: Judicial Nomination Commission C/o Lois Menzies

To whom it may concern:

I would like to put forth my voice in support of Daniel Richard Wilson as district court judge. Due to his unbiased approach and strict adherence to the Constitution, I believe him to be the best candidate for the job.

Thank you for your time,
Astrea Benesh

Cook, Kevin

From: Menzies, Lois
Sent: Sunday, September 13, 2015 8:03 PM
To: Cook, Kevin
Subject: Public Comment -- Wilson

From: Star Benesh [<mailto:starlight.1991@hotmail.com>]
Sent: Saturday, September 12, 2015 10:18 AM
To: MT Supreme Court,
Subject: Judicial Nomination Commission C/o Lois Menzies

To whom it may concern:

I would like to put forth my voice in support of Daniel Richard Wilson as district court judge. Due to his unbiased approach and strict adherence to the Constitution, I believe him to be the best candidate for the job.

Thank you for your time,
Grace Benesh

510 O'Neill Creek Road
Kalispell, Montana 59901

September 12, 2015

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

Dear Judicial Nomination Commission,

It is my understanding that Mr. Daniel Wilson has applied for District Court Judge for the 11th Judicial District to fill the vacancy left by Judge Ted Lympus.

Please allow my husband and I to comment on Mr. Wilson, whom we call "Dan."

My husband, Dave Turk, and I have known Dan for nearly 15 years. As a partner in Wilson and Measure, P.C., Dan was a client of our business, Computer Junction. Over the course of time, Dave and Dan became friends as well as business associates. They are friends to this day due to their camaraderie and mutual respect, a respect which, for our part, deepened toward Dan during a legal dispute in which we found ourselves.

In November, 2006, Dave and I were attempting to collect, through Small Claims Court, a very small sum from a former client, who also happened to be an attorney. After unsuccessful mediation in early 2007, the defendant moved our case per Rule 2, M.J.C.C.R.C.P. , to Justice Court. For the amount Dave and I were owed, there seemed to be no sense in hiring an attorney. At the same time, this was a matter of principle, and we were reluctant to let it go. Dave mentioned our dilemma to Dan, and Dan agreed to represent us without billing us. If we lost, Dan would not get paid at all, and he understood this, but was willing to take the case for the same reason that we were reluctant to drop it: principle.

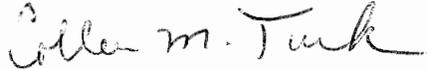
From the very beginning, Dan worked tirelessly on our behalf. I flooded him with paperwork. He poured through the minutiae. He asked questions and I emailed him with more details. He always responded graciously, quickly, and cheerfully to all of my questions and concerns. In all of our 17 years of business, I have never been treated as respectfully as I was by Dan during this time. He never skimmed through my correspondence. Clearly, as is the mark of an attorney, he is intelligent. But he really paid attention and followed through, no matter how trivial I feared my concerns might be. What really struck me, and what I will never forget, is that Dan Wilson is a very good listener.

Dan would not be a successful attorney if he were not quick on his feet. But, as I learned from the above-referenced experience, in which Dan was once again successful, not all attorneys are walking pillars of integrity. Dan Wilson is. Not all attorneys, to my surprise, are good listeners either. But I believe this goes along with integrity. Dan is solid and sure of himself. He can afford, intellectually, to relax and be gracious and have good manners, even under pressure. It is as natural for him to be courteous and thus a good listener as it is to have integrity. It's just who he is. It takes no effort for him at all.

If there were two qualities, and only two, that a judge had to possess, above and beyond "intelligence" and "quick-on-the-feet," (which should be givens considering the pool of applicants) I believe I would choose "integrity" and "good listener."

I cannot express heartily enough how highly I recommend Dan Wilson for District Court Judge for the 11th Judicial District.

Sincerely,



Colleen M. Turk



David C. Turk

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

September 12, 2015

Dear Members of the Commission,

I am writing in support of Dan Wilson to fill the vacancy for district court judge in the 11th Judicial District in Flathead County.

Currently I am serving my fifth term as elected Justice of the Peace for Sweet Grass County and appointed as Big Timber City Judge. I also serve as president of the Montana Magistrate's Association (MMA) which in turn puts me on the Commission for Courts of Limited Jurisdiction. It is through this service that I know Dan Wilson and recommend him for district court judge.

Dan was elected to serve as Justice of the Peace in Flathead County in 2011 and he instantly became an active member of the MMA which represents limited court judges in Montana. Dan has worked with our legislative committee extensively. He has reviewed proposed legislation, drafted changes to bills, prepared fact sheets and testified before the legislature. He has a keen ability to interpret legal writing and to express himself professionally and effectively.

Dan also serves on a committee with me that is creating and revising forms for limited court judges. His attention to detail is incredible. Coupled with his patience and foresight to anticipate the impact of changes, he is a cherished member of this working committee.

I also have the pleasure of attending the mandatory biannual limited court trainings with Dan. He is an active participant in our trainings and has been a presenter as well. Again, he is well spoken and represents the judiciary with dignity and thoughtfulness.

Based on my working experience with Dan, I can attest to his high quality judicial skills. He is a practical judicial officer that gets work done. He has the appropriate knowledge, temperament and desire to serve as a neutral magistrate. Quite frankly, Dan would be missed as a limited court judge but revered as a district court judge.

I highly recommend Dan Wilson for district court judge. Dan has high standards, morals and values. He will bring intelligence, fairness, efficiency and a notable work ethic to district court.

Respectfully,

Jessie Connolly

Jessie Connolly, Sweet Grass County Justice of the Peace

PARKER LAW FIRM

Debra D. Parker

Attorney at Law

9 September 2015

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

mtsupremecourt@mt.gov

Dear Members of the Commission:

I am writing in support of Dan Wilson's bid to become the next district judge in Flathead County. When I practiced in Kalispell our paths crossed on opposite sides of legal disputes. Dan was always prepared and zealously represented his clients; but could also be counted on to be civil and professional. His common sense and respect for others will serve us all well.

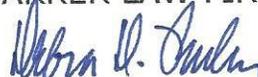
Dan gives back to the legal profession. For a number of years he has generously said "yes" whenever I have asked him to help the Board of Bar Examiners by grading an essay question on the Montana Bar Exam.

I don't practice much in Justice Court but when I have, I have been impressed by Dan's ability to stay on top of a very busy docket. That is a prized skill for any member of the judiciary.

The Dan Wilson I know is one of the good guys. He has the desire and horsepower to be a great district judge and I enthusiastically support his appointment.

Sincerely,

PARKER LAW FIRM



Debra D. Parker

RAMLOW & RUDBACH, PLLP

ATTORNEYS-AT-LAW

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September 9, 2015

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

Re: Daniel Richard Wilson - Eleventh Judicial District Court Vacancy

Dear Judicial Nomination Commission:

I am an attorney that has been licensed to practice in Montana for twenty years. I have practiced in Flathead County for the past twelve years. I work mainly in the areas of civil litigation, real estate, wills and estates.

I have known Dan Wilson well, both professionally and socially, for nearly all of the twelve years I have lived and practiced in Flathead County. Prior to his election as Justice Of The Peace, I had cases against Dan, referred cases to him and consulted with him on cases in which I needed a second opinion. After his election as Justice Of The Peace, I have appeared in front of him in his role as a Judge.

In all of the situations in which I have had professional contact with Dan, I have found him to be ethical, courteous, intelligent, prepared and hard-working. I also found Dan to be very knowledgeable in many diverse areas of the law. His integrity, demeanor, intelligence, work ethic and diverse knowledge will bode well for his work as a District Court Judge.

On a personal level, I know Dan to be a devoted husband, father, son and member of the community. As a practicing attorney, I recognize the importance of the public's perception of the legal system and of members of the judiciary. If nominated, Dan's behavior and demeanor, both inside and outside the courtroom, would have a very positive impact on this perception.

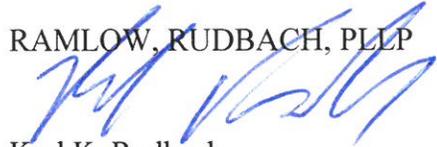
I strongly encourage you to nominate Dan Wilson to the Eleventh Judicial District Court vacancy.

September 9, 2015

Page 2

Sincerely

RAMLOW, RUDBACH, PLLP

A handwritten signature in blue ink, appearing to read 'Karl K. Rudbach', is written over the printed name.

Karl K. Rudbach

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.
Attorneys at Law

Depot Park Square, 24 First Avenue East, Suite C
P.O. Box 918 Kalispell, Montana 59903
Telephone: (406) 752-6373 Fax: (406) 752-7168

Bruce A. Measure
Marybeth M. Sampsel
Paul D. Sullivan
Kelly R. O'Brien*

Ambrose G. Measure (1908-2000)
Nancy L. Pierce, Paralegal

**admitted in Oregon and Montana*

September 11, 2015

Judicial Nomination Commission
Attn: Lois Menzies
Office of the Court Administrator
PO Box 203005
Helena, MT 59620-3005

**RE: Letter Supporting Dan Wilson for Appointment as Eleventh
Judicial District Court Judge**

Members of the Commission,

Please accept this letter as our strongest recommendation in support of Dan Wilson for the current Eleventh Judicial District Court vacancy. His judicial experience, strong work ethic, and fine legal mind make him an ideal choice to fill the vacancy left by Judge Lympus.

We have had the unique opportunity to both work with and appear before Judge Wilson. Prior to being elected Justice of the Peace in 2008, Dan maintained an active practice as a partner in our firm. As reflected in the letters already submitted, his clients ranged from local banks to criminal defendants before the Ninth Circuit Court of Appeals. The depth and breadth of Dan's legal knowledge is second to none, and, in our opinion, a vital qualification for a district court judge. As an attorney, Dan practiced criminal law at the federal and state level, civil litigation, estate planning, foreclosure law, and all the general matters that Montana practitioners must embrace. He is experienced and knowledgeable in all the facets of the district court caseload, and capable of analyzing and dissecting the most complex or nuanced argument.

But perhaps more importantly, he forged lasting relationships with his clients. Even now, years after he left the firm to take the bench, Dan's former clients continue to return to our office; often for no other reason than to ask how he is. Even clients who did not achieve their desired outcome return because they feel Dan fought the good fight and got the best result possible.

On the bench, Judge Wilson has maintained the same passion for the law that made him a successful attorney. He is constantly researching new developments from the state and federal

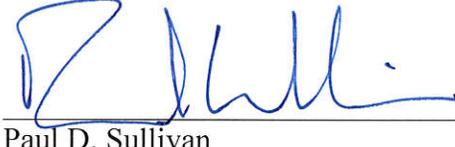
supreme courts, and always abreast of new developments as they occur. Judge Wilson is a legal scholar who makes decisions promptly and with the sole goal of justice under the law. While some submissions to this Commission have criticized Judge Wilson's demeanor, our experience is that he treats all equally and fairly. He takes the law seriously, and expects others to do the same. For someone who holds lives in his hands, this is an attribute, not a detriment.

Flathead County would be lucky to have Judge Wilson fill the vacancy left in the District Court. He is ready to assume the position and begin working immediately, and continue to offer the well reasoned and timely rendered decisions he is known for in Justice Court. The Eleventh Judicial District, and the local bar, would be lucky to have him.

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.



Marybeth M. Sampsel



Paul D. Sullivan

STEPHEN J. NARDI
ATTORNEY AT LAW
P.O. BOX 501
LAKESIDE, MONTANA 59922
Telephone: (406) 249-4982

September 8th, 2015

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

Re: Montana 11th Judicial District Court

Dear Members of the Judicial Nomination Commission ,

The purpose of this letter is to indicate my unconditional support for Dan Wilson as an applicant to replace the Hon. Ted Lympus on the Eleventh Judicial District Court.

I have known Dan for the entire 20 years that he has practiced here in Flathead County. His experience in all areas of the law as a practitioner is unmatched by any other applicant for this position. He has practiced criminal law both as a prosecutor and as a defense attorney. He has handled a wide variety of civil cases including contract disputes, personal injury litigation, real estate matters, probates, consumer cases and many others. He has practiced extensively in Federal Court as well. As a practitioner, his reputation for hard work and dedication to his clients was well-known and admired by the local Bar.

In 2011, Dan was elected to the Justice Court for Flathead County. During those four years, he has been a first rate Justice of the Peace. He handles his significant caseload in a very timely manner without any backlog whatsoever. His rulings are directly on point, well researched and well reasoned. He has an firm understanding of the Rules of Civil Procedure and Evidence. In short, Dan has been an excellent Judge.

For these reasons, I believe that Dan Wilson is the best candidate for this vacancy. I urge you to give his application the utmost consideration. If I can be of any further assistance, please don't hesitate to contact me.

Sincerely,



Stephen J Nardi

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

September 11, 2015

RE: Daniel Richard Wilson – Eleventh Judicial District Court Judge Vacancy

Dear Members of the Commission,

I would like to add my voice of support for Dan Wilson for the District Court Judge vacancy. Dan is a friend and someone who I believe has the demeanor, temperament and intellect to be a great judge. Some people are born to be many things, Dan is born to be a judge. He comes from a family lineage of justices. In our talks he seems to always have the right judicial temperament to find a solution that is within the law and seen to be fair.

Dan is a longtime member of the community, family man, and is involved in many groups here. The community has elected Dan as justice because he is seen as a fair and impartial purveyor of the law. My view as a legislator is that the judicial branch needs to be impartial and implement the law.

Dan has a stellar reputation and if selected to be a district judge will serve with integrity. I am very proud to endorse Dan for District Judge.

Respectfully,

Bruce Tutvedt
State Senator, District 3
Kalispell, MT

Law Offices of Eduardo Gutierrez-Falla

Tenth and Main Center
1001 South Main Street
Kalispell, Montana 59901
Telephone: (406) 755-2550
Telefax: (406) 257-1090

E. Gutierrez-Falla, Esq.
Jennifer Miller, Paralegal

September 14, 2015

Members of the Commission:

This letter is submitted in support of Judge Dan Wilson's application for appointment to the Flathead County District Court bench.

The transition from practicing attorney to judge is often neither easy nor successful. Although I do not doubt but that several of the current applicants might well become good judges, I submit that only time would tell. However, solely in the case of Judge Wilson, time has already told. He has proven to be an exceptionally knowledgeable, consistent, unbiased, and immensely hard-working jurist throughout the 4.5 years he has presided as a Flathead County Justice of Peace. Doubtless he would continue to be such were he appointed to the Flathead County District Court bench.

As proof of his commitment to a career in the judiciary, Judge Wilson is the only current applicant (but one) who has actually run for the such office in a general election. Among all of the applicants, he is the only one who has actually been elected to the judiciary by the voters of Flathead County. Twice. Most recently, in excess of 20,000 Flathead County voters cast their ballots to return him to office as one of two Flathead County Justices of the Peace. I suggest this is a not inconsiderable fact given that whoever may be appointed to the District Court will need run in a primary election not long after his or her appointment and, if successful in the primary, in a general election some five months later.

Roughly 20% of a Flathead District Court Judge's caseload comprises criminal cases and the issuance of warrants and investigative subpoenas relative thereto. Judge Wilson prosecuted misdemeanor and felony criminal cases in Flathead County for 5 years. He then defended criminal cases in Flathead County as a public defender for 6 months years and thereafter as a private attorney for 11 years. He also defended criminal cases in Montana Federal District Court as a court-appointed attorney for 10 years. He appealed and argued cases to and at the Federal Circuit Court on 3 occasions. He has tried hundreds of criminal cases.

Approximately 20% of a Flathead County District Court Judge's caseload comprises family law cases. For approximately 11 years while in private practice Judge Wilson represented

clients in such matters.

Nearly 40% of a Flathead County District Court Judge's caseload comprises general civil litigation. While in private practice, Judge Wilson represented clients in probate; construction; foreclosure; contract; personal injury; guardianship; and other civil cases.

Thus, Judge Wilson has substantial experience in the areas of law which constitute approximately 80% of the cases heard by Flathead District Court judges. Again, I submit this should be an essential consideration in deciding whom to appoint to the Flathead County District Court since the appointed judge will immediately assume a substantial caseload in addition to then being assigned his or her share of all new cases filed.

Respectfully,

E. Gutierrez-Falla, Esq.

September 11, 2015

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

RE: - Daniel Richard Wilson - Applicant for the Eleventh Judicial District Judgeship

Dear Members of the Commission:

I am recommending Dan Wilson for the District Judge position for the Eleventh Judicial District that is currently vacant. I am a Vice President and Branch Manager for a regional bank in Northwest Montana. Since I am not an attorney or an expert in the law the best perspective I can provide is a reference to Dan's character.

I had the pleasure of meeting Dan shortly after moving to Kalispell just over 10 years ago. Dan and I are both members of Rotary International. It was through our involvement in Rotary that we got to know one another. The core principals of Rotary include applying the highest level of integrity and ethical standards in the decisions we make and in the actions we take. These principles apply both to how we conduct ourselves in our occupations and in our daily lives. Without exception, Dan has always demonstrated the highest level of integrity, ethics and professionalism in his decision making and his actions.

Another core principal of Rotary is a commitment to community service. Dan has certainly demonstrated his commitment to community through the many projects our local Rotary club is committed to. However his commitment to service goes well beyond his involvement in Rotary. I have witnessed his willingness to apply his knowledge and skills to provide goodwill within the community to those in need. Dan is also a devoted family man. Dan's dedication to his family and raising his daughter to be an educated, thoughtful, productive, independent young leader is making a huge contribution to our community. Dan has also demonstrated his commitment to community service through his career in his role as a Justice of the Peace for Flathead County. His track record as a Justice of the Peace will serve as an excellent indicator of the performance you can expect from Dan in the role of District Court Judge.

Through our many interactions over the years it is evident that Dan is very intelligent, fair, ethical, competent and practical. It is clear that he has a broad understanding of the law and he possesses exceptional communication skills. The combination of his character, his commitment to his family and community, and his experience as a Justice of the Peace will make Dan an exceptional District Court Judge.

Thank you for your time and consideration.

Best regards,

A handwritten signature in black ink, appearing to read 'Mark Armstrong', with a long horizontal flourish extending to the right.

Mark Armstrong

Christina Hollenbeck
47 Silverleaf Drive
Kalispell, MT 59901

September 10, 2015

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

RE: Daniel R. Wilson

Dear Ms. Menzies:

This letter is being provided to you in wholehearted support of Daniel Wilson's application to Judge Lypus' recently vacated position for the Eleventh Judicial District Court Judge position.

While I do not have a law degree, I do have first hand knowledge what it is like to work with current Justice of the Peace Daniel R. Wilson. I was a Flathead County Justice Court Clerk for just under 5 years. I had dealings with Judge Wilson when he was in private practice and also as one of the Justice Court judges.

In private practice, his motions were timely, concise, accurate and always accompanied with the proper copies, notifications and such. Mr. Wilson was always courteous and pleasant to deal with and respectful of the court and its officers.

As a Judge, Judge Wilson accomplished many feats while sitting on the bench in Justice Court. It was my honor to work with such a competent judge. One thing that is evident when working with him is that he really listens to the people before him. He gives them consideration, unlike other judges, he takes the current and past situations into consideration along with the fact that every circumstance is different. This is something he said in my presence daily. He didn't rule on emotion, but rules within the confines of the law, as any good judge should. He takes into consideration those that didn't have legal representation and often times took time out to try and explain exactly what his constituents were having a hard time understanding, explaining things in a manner that they could understand. This in, and of itself, is not always an easy task. More than anything, Judge Wilson CARES about what he does and about those he serves. If ever I had a family member that was in need of being before a judge, I would hope that their case would be heard by a justice as honorable, as considerate and as thorough as Judge Wilson.

Judge Wilson had an extensive caseload in both civil and criminal cases, with no backlog. In the justice system, this is an extremely rare occurrence. His efficiency and dedication towards his position is resonated in that fact alone.

Thank you for your consideration in this matter. I know that should Judge Wilson be the chosen candidate for the position that he will not let the people of Flathed County down. He has the experience, the dedication, the education and the consideration that this position needs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christina Hollenbeck', with a long, sweeping underline.

Christina Hollenbeck