

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 4, 2020 12:10 PM
To: Cook, Kevin
Subject: Public Comment -- Morine

From: KARRI HAW <bkhhaw@msn.com>
Sent: Friday, September 4, 2020 5:39 AM
To: MT Supreme Court,
Subject: [EXTERNAL] David Morine nomination

To Whom It May Concern,

My son participated in the 2019-2020 Mock Trial competition for which David Morine was a coach. The overall experience was truly the most positive extracurricular activity that my son engaged in throughout his high school tenure.

The main reason the experience was so positive, was Coach David. Not only did he dedicate endless hours to coach the team he was highly organized throughout the season. He was an excellent sounding board for all students. He approaches every situation with a positive outlook and a sharp mind. It was refreshing to see an individual enthusiastic to volunteer with the youth of our community.

Not only did students like and respect David but he gave them a direction, for many of which this will be a career in law. His demeanor was consistently calm while exuding confidence. He taught students the value of the law and the importance of preparedness.

David would be an asset to the bench!

Sincerely,

Karri Haw

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 4, 2020 12:09 PM
To: Cook, Kevin
Subject: Public Comment -- Morine

From: Askin, Kacey <kaskin@helenaschools.org>
Sent: Thursday, September 3, 2020 3:11 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment recommending DAVID MORINE for Judge.

Dear Selection Committee:

My name is Kacey Askin and I am a business education teacher at Helena High School. I have known David Morine for 6 years and have worked with him closely coaching the HHS Mock Trial team since 2015 and I helped David develop the Montana Mock Trial program for high school students in the state of Montana.

Let me tell you a little about David and why I think he is such an excellent candidate for the open seat.

David Morine has the following qualities:

Persistence
Leadership
Dedication
Kindness
Passionate

When I first met David it was because he was approached by a Helena High student about coaching a Mock Trial team and we needed a school coach (me) and an attorney coach (David). He agreed to volunteer to do this and to help start a new program at HHS. He did this out of the **kindness** of his heart and that he truly felt that the program impacted and made a positive influence on students. David not only helped coach the first team ever in 2015 but he has returned to help me coach every year since then. This is not a small commitment and involves many hours to get a team ready for competition and that is why I say David is **dedicated**. David is very enthusiastic about the law and his excitement rubs off on the students. The students love David as a coach and appreciate his volunteer efforts to help them learn the law.

David continued to help the HHS teams, and in addition started working with the Montana Bar Association last year to start a new High School Mock Trial program for the whole state. David's hard work and **persistence** was amazing as he set up meetings with the Bar Association month after month to help get this program off the ground. We held the first ever Montana Mock Trial competition in the state capitol last year just prior to the COVID19 outbreak and it was a huge success. Without David's **leadership** we would never have gotten that program together.

David is **passionate** about justice and the law and I am confident he would make an outstanding judge. He is very understanding about people's differences and willing to listen and make a sound and fair judgement. I give my highest recommendation for David Morine to be our next judge to replace Judge Reynolds.

Sincerely,
Kacey Askin

Cook, Kevin

From: Menzies, Lois
Sent: Friday, September 4, 2020 12:08 PM
To: Cook, Kevin
Subject: Public Comment -- Morine

From: Meriwether Schroeer-smith <meri.schroeer@gmail.com>
Sent: Wednesday, September 2, 2020 8:05 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public comment in support of David Morine (1st district judge applications)

Dear Judicial Nomination Commission,

My name is Meriwether Schroeer-Smith and I have had the pleasure of knowing and being a student of David Morine. During all except the first year of my High School education, I participated in the Helena High Mock Trial club. We were a small team, but did very well in the Idaho competitions where we competed for a lack of other teams in Montana. I can attribute this success, in part, to the instruction of the applicant. While these competitions use relatively simple law, our team was given detailed and rounded instruction on both civil and criminal law, as well as on proper court proceedings. He gave calm and fair criticisms, and obviously had a lot of compassion for us. He and his wife were some of the first people that my best friends and I invited to our joint graduation party.

Because of him and his knowledge, patience, and compassion, my team and I were prepared and confident during competition. We received high scores and in many cases, our advancement in completion was stopped merely because we were not an Idaho team.

In short, I think David Morine would be a perfect candidate for this position due to his experience, calm demeanor, and passion for not only his work, but for the people he comes in contact with.

Sincerely,
Meriwether Schroeer-Smith
--

Meriwether Schroeer-Smith

she/her/hers

Jordan Straub
1600 Winne Ave
Helena, MT 59601
jstraub@smith.edu

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

To Whom It May Concern,

I am writing to you on behalf of David Charles Morine, who is seeking a position as a District Judge for Lewis and Clark County.

I first met David 6 years ago as a freshman at Helena High School. I was 14, and had somehow found myself in a dark classroom on a November night at an interest meeting for something called Mock Trial. Although I didn't know it then, it would soon become the community I would hold most dear for the remainder of my high school years and beyond.

I am writing to you now as a junior at Smith College in Northampton, MA, studying Geoscience and Environmental Policy. I can assure you that it is thanks to the Mock Trial program and David's guidance that I am in the place I am today. His support helped me discover and develop parts of myself that I had no idea I possessed. By the end of the year, Mock Trial had become my newest passion, and I came to excel in it. I was elected team captain my junior and senior year, and won many individual awards in competitions. It filled me with pride to have something that I shined in, and helped me find the confidence and relational skills that I carry with me today.

The best moments, however, came after competitions. David would bring us cake to celebrate, and take the time to debrief every moment of the trial with us, making sure to give us each specific praise from the meticulous notes he had written on his yellow legal pad. We would sit in the lobby of our hotel late into the night. David always made every student feel valued and accomplished, and I know for certain that his feedback was a truly uplifting source of validation that was for most of us pivotal to our growth. David's unwavering belief in his mentees is proof that he has what it takes to fulfil this position. No student is too unruly or inattentive for him: he patiently takes the time to ensure that each of us fully grasps the material. Under his constant support, each student that passes through Mock Trial is left with life-long skills in self-advocacy and integrity. I can say with confidence that he is one of the most steadfast and honest people I know.

David has spent countless hours giving back to our community. I believe that it speaks volumes to who he is as a person, and who he will be as a judge. The greater population needs to count on Judges as people who will act in their best interest. In order to do this, one must have empathy, compassion, and hope for a better future. My experiences with David make me confident that he possesses all of these traits and more.

September 8, 2020

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

Dear Judicial Nomination Commission:

I am writing to express my enthusiastic support for David Morine's application for the judicial vacancy in Montana's First Judicial District. Since moving to Helena a little over 3 years ago, I have been lucky enough to call David a friend.

I believe that David has the temperament and personal qualities that would allow him to be an outstanding District Court judge. David is quick on his feet, but he is also thoughtful. He is even-tempered and kind. He would be effective in dealing both with attorneys and with unrepresented litigants.

Furthermore, I believe that David can be relied on to do the work that is expected of our District Court judges. He has a genuine interest in the law and legal issues. When confronted with a difficult legal question, he will "dig in" and do the research and work required to reach the correct decision under the law.

I believe David Morine would be an asset to the Montana judiciary. I encourage the Commission to nominate Mr. Morine for the Governor's consideration in filling the First Judicial District Vacancy.

Sincerely,
ODEGAARD KOVACICH SNIPES, PC



LUCAS A. WALLACE
lucas@mtlawyers.com

Cook, Kevin

From: Menzies, Lois
Sent: Thursday, September 10, 2020 9:20 PM
To: Cook, Kevin
Subject: Public Comment -- Morine

From: Keith Brewer <keithabrewer406@gmail.com>
Sent: Thursday, September 10, 2020 7:39 AM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment - David Morine Nomination

For the consideration of the Judicial Nomination Commission

When it comes to matters of law, average citizens (like me) there is a measure of trust that we need to have in officers of the court. We rely on the individual serving on the bench to not only be knowledgeable of our laws, but also balanced in their approach to the application of those laws. David Morine has earned that kind of trust with many members of our community. He has earned this through establishing a foundation of helping people understand the rule of law when and where he can, as well as maintaining a consistent approach to the application of these laws in his practice.

David not only has a solid background in terms of his education and experience, he also has a unique ability to help people seek understanding when it comes to legal matters. He uses the ability to listen first, and then ask intuitive questions that help provide clarity. He also has the ability to put those he serves and works with at ease when he communicates. In addition, David has been a strong support of our community and works to educate our young people and get them involved with (and even excited about) the law.

David would be an outstanding choice to fill Judge Reynolds vacancy.
He has my full support!

Respectfully,

Keith A Brewer



Kayleigh N. Morine
900 N. Last Chance Gulch, Suite 200
Helena, MT 59601
Direct: 406-457-2051
kmorine@crowleyfleck.com

September 11, 2020

VIA EMAIL

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

Re: First Judicial District Judgeship Vacancy

Dear Ms. Menzies and Members of the Montana Judicial Nomination Commission:

I write in support of David Morine for the judicial vacancy in Montana's First Judicial District. As David's wife, I have known David both personally and professionally for the past nine (9) years. In addition to knowing David as a wonderful husband and father, I know him as an excellent fellow litigator.

David and I first met in law school at the University of Minnesota Law School when we competed together on the Jessup International Law Moot Court Competition Team. Not only was I impressed with David's mastery of the law and oral and written advocacy, I also was impressed with his ability to be a productive and positive team member. David has the ability to listen to others in a respectful and professional manner.

In addition to being a strong competitor, David was and is an excellent teacher. After graduating, David still was involved with the Moot Court Competition Team as a coach, successfully helping his team win the regional competition and advance to the international competition. David's dedication to teaching others about the law and United States judicial system continued even after he moved to Helena.

One of David's professional accomplishment of which I am especially proud is his coaching of mock trial teams at Helena High School and creation of Montana's statewide mock trial program. David has put countless hours into coaching mock trial. He has explained and taught all aspects of trial practice to students, including the Rules of Evidence, objections, openings and

closings, witness examination, courtroom protocol, etc. For years, David traveled to Idaho with the Montana mock trial students as Montana did not have its own program. However, this past year, David successfully petitioned the State Bar to sponsor Montana's first statewide mock trial competition. David tirelessly worked to plan the competition with the State Bar, which was attended by twelve (12) teams from across the state. Moreover, coaching and facilitating the mock trial program has practical benefits for being a trial judge. David has presided over countless mock trials, which having done so myself, is harder than it may seem. A mock trial presiding judge must control the courtroom and address objections just as in a real courtroom. David is able to efficiently and effectively do both.

In addition to his dedication to community service, David is a strong litigator who cares about his relationships with clients and counsel (both cocounsel and opposing counsel). In fact, David became a partner at his firm in just four (4) years. As an attorney at Hattersley Walter, David has not only honed his legal skills, but has also been involved in firm management.

Prior to working at Hattersley Walter, David clerked for the Honorable Judge Jim Reynolds. David is familiar with the First Judicial District and has good relationships with others working at the courthouse. As a law clerk, he had experience with both civil and criminal matters. He even was appointed by the District Court as a Judge Pro Tempore to preside over initial criminal appearances.

As a fellow attorney, I am proud to recommend and support David for the open position in the First Judicial District. He has the legal experience and proper temperament. As his wife, I know David is a kind and compassionate individual who cares about his community. He will serve the First Judicial District honorably and professionally.

Sincerely,



Kayleigh N. Morine

CROWLEY | FLECK
ATTORNEYS

September 21, 2020

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

Re: David Morine

Dear Members of the Judicial Nomination Commission:

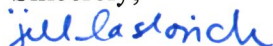
It is with great honor that I write to voice my support for David Morine, candidate for First Judicial District Judge. I first met David when his wife Kayleigh Morine joined Crowley Fleck in 2014. Since that time, Kayleigh has become my law partner, and David has become both a colleague and friend. David is honest and hardworking. I have been most impressed with his unwavering dedication to the community. Together, David and Kayleigh, started the first high school mock trial team in Montana. They coach the team and arrange for the students to present their cases to local attorneys and judges. David and Kayleigh have even recruited other high schools in the state to participate in this program. I have had the privilege of watching their students compete over the years and have been truly impressed with the improvement I have witnessed in the students' public speaking skills, organization, and critical thinking. Most of all, I have been impressed with David's patience with the students and selfless dedication to this worthy project.

David also has extensive experience with the court system, given his prior position as Judge Reynolds' law clerk and his current legal practice. As a litigator, he has experience working through complicated legal issues of law and applying the Rules of Civil Procedure and Rules of Evidence. I believe David has the skillset, compassion, and dedication to work through any legal issue that comes his way. I also believe he will work hard to keep the court's docket on track – an issue that matters to all attorneys and parties to litigation.

In short, the people of Lewis and Clark and Broadwater Counties would be well-served if David Morine is selected as the next district court judge.

I am so pleased to see the deep bench of talent the commission has to select from for this position. I wish you the best in making this decision and invite you to call me any time if you have any questions or need additional information.

Sincerely,


Jill Laslovich

BILLINGS BISMARCK BOZEMAN BUTTE CASPER CHEYENNE HELENA KALISPELL MISSOULA SHERIDAN WILLISTON

CROWLEYFLECK.COM

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Wednesday, September 23, 2020 2:18:40 PM

From: Keith Johnson <keith@lifecchelena.org>
Sent: Tuesday, September 22, 2020 7:37 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment on Behalf of David Morine

September 22, 2020

Public Comment on Behalf of David Morine

We are pleased to support David Morine for this position. We are parents of a Mock Trial student at Helena High School who has been in the program for the past three years. Our daughter has learned so much from him as an instructor, coach, and friend. David has a passion for law, which can be seen through his active participation in our program. For example, during her first year in the program, students were given a civil case to work on, which many students were not all that excited about because it wasn't some kind of intense criminal case. David, however, made it interesting and fun, giving students weekly lectures about the case and about the law in general. Thursday practices are always a favorite part of our daughter's week because David opens his office to them, allowing them to feel like "real-life attorneys". The discussions they have are always full of questions, information, and fun.

David is the type of leader who listens before he instructs. He wants to hear ideas, theories, or just thoughts about life, which makes all of the students feel valued. He is also very dedicated to his work. When he started our Montana Mock Trial program, he poured his life into perfecting the system and competition so that students from all over Montana could take part in the program. Although David is a very influential and dedicated coach, he also takes the time to know the students on a personal level. He offers his advice and assistance in all aspects of their lives, not just in the courtroom. He cares deeply that each of the students succeeds and no matter how stressed, worried, or overwhelmed students may be, David never fails to lighten the mood with a fun story or assurance.

Mock Trial draws an eclectic mix of students from different backgrounds and David meets the students where we are. As a parent, we are so glad that David has been a part of our daughter's life. Because of David's ability to inform, teach, influence, and most importantly, care for all the people around him, we think he is an excellent choice for this position.

Sincerely,

Keith and Nina Johnson

1021 Missoula Ave
Helena, MT 59601

(406) 461-9491

VINCENT | DAVEY LAW FIRM

ATTORNEYS AT LAW

JOHN R. VINCENT

ADMITTED IN MONTANA & WYOMING

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ANN E. DAVEY

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JANET E. MILLARD

ADMITTED IN MONTANA & WYOMING

WYOMING LEGAL ASSISTANTS

CARLY J. SCHRINAR

KIM SETTLEMIRE

MONTANA LEGAL ASSISTANT

MARCIE HAINES

September 21, 2020

VIA Email (mtsupremecourt@mt.gov) and United States Mail

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

RE: David Charles Morine, Letter of Support for judicial appointment.

Dear Ms. Menzies:

I am writing in support of David Morine's application to the First Judicial District Court judgeship. I am an attorney who practices in both Montana and Wyoming with my son and daughter. My daughter Annie Davey and her family live in Columbus and my son, Aaron and I live Riverton. David and I became acquainted when he represented a defendant in a tragic wrongful death case in which my daughter, son, and I represented the plaintiff. I am honored to provide this letter of support for David and assure you that he is imminently qualified to serve as a Montana District Court Judge. My work with David and his mentor, Tom Hattersley, and the kindness and respect they extended to our clients and both of us, led to good friendships among us all. We settled this case on terms that were in fact mutually agreeable to all parties.

Since admission to the Wyoming and Nebraska Bars in 1974, I have had the good fortune to represent clients in several different states and the opportunity to work with many fine lawyers. Many of the clients' cases presented difficult issues of law and fact as well as deep sadness and regret. In such matters, counsel for the parties set the tone for resolution of the case which does not cause the litigants additional harm.

The judge's ability to effectively communicate with diverse individuals is vitally important in these settings. I believe the most important attribute for a judge involved in resolving such disputes to have is the willingness and ability to effectively listen and understand the positions taken and claims made by the opposing parties. After listening

to and understanding the issues, one must be able to reach sound decisions concerning disputed and non-disputed facts and reach and deliver a fair and reasoned decision. It goes without saying; the bedrock of this analysis is typically supplied by widely accepted legal principles.

During this process, it is common for the lawyers and parties to become frustrated with the presiding judge, opposing party, experts, witnesses or the process. The judge must be able to stay above the fray and not allow these frustrations to impede or undermine the judge's decision making. Given the central importance of the judge to the fair, just and rational resolution of cases, it is vital for the judge be an effective leader.

Judicial officers, who possess these attributes, are often said to have a judicial temperament. In other words, the decision maker is thoughtful, slow to anger, just, fair, candid and kind to the participants. These attributes make it likely the proceeding and decision making will be viewed as above board and free of arbitrary or capricious conclusions. David has a strong mind and moral compass who comports himself honorably and fairly.

Finally, David mentioned he will be involved in Helena's Drug Court. In the past I was honored to serve as Mayor of Riverton for eight years. During this time, the functioning of the Drug Courts at all levels was very important in my work. David understands that alcoholism and drug addiction are diseases. He is willing to undertake this important job recognizing that the Drug Court will be a significant part of his work. David's prior experience as law clerk to the judge in charge of this program in Helena, his ability and personality all combine to assure that he will be an effective person in this important post.

Please call if you have any questions.

Sincerely yours,



John R. Vincent

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Wednesday, September 23, 2020 2:17:00 PM

From: Ryan Young <ryjyoung20@gmail.com>
Sent: Monday, September 21, 2020 6:30 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment in support of David Morine

Judicial Nomination Commission,

My name is Ryan Young and I am a 1st year college student at Montana State University in Bozeman. I met David Morine my senior year of highschool when I participated in the 2019-2020 mock trial program at Helena High School. The experience opened my eyes to how interesting and exciting law can be and that is why I am now pursuing a career in law.

The reason I believe David is the best candidate for the open seat is due to his overwhelming dedication to making his community better. David volunteered to assist in the Mock Trial program at Helena High School knowing very well that it would consume endless hours of his time every week. Every time we met to discuss the case and our strategies for approaching it, David was extremely helpful in helping us develop our thoughts. If we decided to attack the case in one way he would counter us in another way, always challenging our claims and forcing us to back them up with facts. He taught us court room etiquette better than any team we faced. He was determined to shape us into the best Mock Trial attorneys the state had seen.

One of the things that I remember the most out of my experience with David was the fact that I could ask any question, no matter how foolish I felt it was, and he would answer it with a seriousness and respect that I had never seen before. I could be confused at the simplest of things and he would never get frustrated and always sought to help me understand. David taught me that law can be an interesting and exciting job and that you can never be too prepared going into the court room.

In the end, I believe David Morine would serve the state of Montana exceptionally and the community would benefit with him as a District Court Judge.

Sincerely,
Ryan Young

HATTERSLEY LAW FIRM, PLLP
Attorneys at Law

THOMAS E. HATTERSLEY, III

DAVID C. MORINE

JOCK O. ANDERSON (Of Counsel)

JEFFREY M. HINDOIEN (Of Counsel)

33 SOUTH LAST CHANCE GULCH, SUITE 1A
HELENA, MONTANA 59601

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TELEPHONE (406) 442-8560
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Jock O. Anderson
Direct: (406) 444-8751
janderson@hwlawmt.com

September 22, 2020

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

RE: Application of David Morine for District Judge

Dear Ms. Menzies:

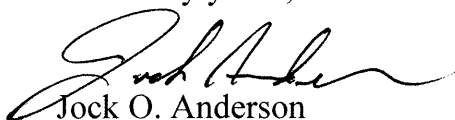
I am an attorney licensed to practice law in the state of Montana and have been for the past 45 years. I am currently of counsel with the Hattersley Law Firm of Helena, Montana. I write to recommend David Morine for the judge position in the First Judicial District currently held by Judge Reynolds.

I have known David for approximately 5 years since he began as an associate with this law firm. He is now a partner.

My association with Mr. Morine has been entirely positive. To the extent of my working directly with him, I have found his legal work to be exceptional. His general reputation in the firm is the same. His legal skills are excellent. He is intelligent, conscientious, and hard working. He is personally very likeable. When he expresses an opinion, it is measured and thoughtful. It is my opinion that his temperament is particularly well suited for a position on the bench.

I recommend David Morine for consideration without hesitation or qualification.

Sincerely yours,


Jock O. Anderson

100 East Broadway Street, First Floor
Butte, Montana 59701
E-mail: mike@joyce-macdonald.com

Telephone: (406)723-8700
Facsimile: (406)723-8788
Toll Free: (406)723-8702

September 24, 2020

VIA EMAIL – mtsupremecourt@mt.gov

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

Greetings:

I am writing this letter in support of David Morine as a candidate for appointment to the upcoming vacancy on the First Judicial District bench.

I know David through my dealings with him as opposing counsel on matters concerning wrongful death and personal injury. David has always acted with a high level of professionalism, both during and outside of formal proceedings, and shows the utmost respect toward the parties, witnesses, counsel, and the court. David's written and verbal communications are always clear and concise, and his arguments are well-supported by logic and reason. He is always well-prepared to discuss the facts and legal issues surrounding our cases and exhibits a solid understanding of the law and legal system.


Aside from being very competent, David is a genuinely kind and considerate person, which is refreshing when dealing with such highly emotional matters. I think those qualities would serve David well as a judge, especially when presented with *pro se* litigants.

Overall, I believe David exhibits all of the qualities to make a fine judge.

Thank you for your consideration. Please don't hesitate to contact me if you have any questions.

Sincerely,

Joyce & MacDonald, PLLP


MICHAEL W. HAYNES
Attorney at Law

Wednesday, September 23, 2020

Dear Judicial Nomination Commission Members,

I am writing in support of David Charles Morine's application for the soon-to-be vacated district court judge position currently held by Judge James Reynolds. I have known David and his wife Kayleigh since they moved into my neighborhood on South California Street in May of 2016. I met them as they were walking their two dogs Freyja and Petey by my house one spring evening. I was immediately drawn to this sweet couple, who adopted these two adorable rescue dogs from Browning. We have become good friends. Recently, I've been delighted to meet their infant son Charlie.

I am a retired teacher with the Helena Public Schools, after 31 years, and still substitute teach at our three high schools. I have many years of teaching experience, and although I have no legal background at all, I feel I am a good judge of character. My position at Helena Middle School before I retired was teaching Title I Reading classes to students who were behind their grade level in reading ability. Many were from lower-income homes and "at-risk." At least one of my 8th grade boys had a father incarcerated at the Montana State Prison and was living in a foster care home. I believe I have an understanding and appreciation for these young people who often end up in trouble with drugs and have to face the consequences of the poor choices they've made.

In this morning's paper, September 23, 2020 edition of the Helena Independent Record, there was an article under "Health Matters" written by Dr. Kyle Moore, addiction specialist at St. Peter's Health. In his article, Dr. Moore explains how addiction is a disease, and that it's treatable. I think it's important for a judge to understand the medical and health aspects of addiction. Having had numerous conversations with David on this topic, it's clear to me that he understands this and the risks to individual health and societal well-being that drugs pose.

I am aware that David is a coach for the mock trial competition teams at Helena High School, and did a terrific job relating to the students in Kacey Askin's Law and Justice Class.

I believe David Morine is not only exceptionally qualified for the judgeship position, but he is also a kind, compassionate, and fair human being who believes in second chances.

Sincerely,



Madeleine Neumeyer

KASTING, KAUFFMAN & MERSEN, P.C.

A T T O R N E Y S A T L A W

JOHN M. KAUFFMAN
JANE MERSEN
DENNIS L. MUNSON
LILIA N. TYRRELL
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September 23, 2020

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

VIA electronic mail only to mtsupremecourt@mt.gov

RE: David Morine for First Judicial District Court Judge

Dear Nomination Commission,

Please consider this letter my wholehearted endorsement for and recommendation of David Morine for the position of district court judge for the First Judicial District Court. I have known David for several years and find his intellect and his compassion for the law second to none. David and his firm and I represented a party in a complex civil case which involved issues of corporate law, fiduciary matters, fraud, and contract interpretation. He was wonderful to deal with, always timely, and his ability to research and distill issues down to pertinent points never ceased to amaze me. He also has a great sense of humor.

I practice mostly in the civil litigation area and understand how important it is to have a judge who has been in the civil litigation trenches; they understand the need for timely decisions on discovery disputes and other pretrial issues; they understand that litigation is expensive, time consuming and physically and mentally draining for our clients; they understand the problems that arise when they have to wait for numerous months or even years to get decisions on discovery or pretrial motions. Attorneys who do not have litigation experience are at a disadvantage in this process.

David has the temperament and compassion to lead the drug treatment courts and has experience in the criminal law as well. His time as a law clerk to Judge Reynolds, a clerk to Justice James Shea, and as a Judge Pro Tempore has given him the experience necessary for the job.

David's compassion for the law is illustrated by his work with the Montana High School Mock Trial Competitions. David, as one of the founders of the program, has spent thousands of hours coaching the students and teaching them about the law. The program has grown and the students are competing in Montana and Idaho. His application has more detail about the program but in my 30 years of practice, I have not known anyone else who has accomplished what David has in his 6 years here in Montana.

David will be a great judge. I hope when you compare his experience, both in and outside of the law, with the other candidates you will agree that he is the right choice.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jane Mersen". The signature is written in dark ink and is positioned above the printed name.

Jane Mersen

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Thursday, September 24, 2020 10:17:44 PM

From: Nathan Bilyeu <nbilyeu@jmgm.com>
Sent: Wednesday, September 23, 2020 9:26 AM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment: First Judicial District Judgeship Vacancy

Dear Selection Committee,

I am submitting this public comment in support of David Morine's application for the judicial vacancy in Montana's First Judicial District. I was among the partners that hired David when he first started at Hattersley Walter, PLLP, and was one of his supervising partners for the first year and a half of his practice at the firm.

In my previous capacity as one of David's supervisors, two qualities stood out to me. First, David has a very high legal IQ—he is able to analyze and synthesize difficult legal issues and complex fact patterns efficiently and accurately. In the context of a highly demanding civil litigation practice where attorneys do not typically have the time they wish they had to analyze matters, David's high IQ allowed him to perform at a high level in a timely fashion. I know that the position of district court judge is highly demanding. David has demonstrated the work ethic and natural ability necessary to perform at a high level under time constraints and with ever-pressing deadlines. David has proven he can handle a rigorous workload and provide timely and quality results. I believe this is an important attribute that should be demonstrated via past performance by any candidate that the Selection Committee is going to seriously consider for this position.

Secondly, David has a high level of emotional intelligence. David has conducted himself with dignity, grace, and propriety when taking depositions of adverse parties in tragic cases, counseling clients who have reached their emotional limits, and when interacting with adverse counsel and other members of the bar. Judges are the face of the legal system for so many Montanans. I believe it is important that a judge possess the emotional intelligence necessary to be a good representative of our judicial system in these interactions—i.e. the ability not to become jaded and callous after routinely interacting with people who are experiencing tragedy. David possesses this quality. I know David, and I am confident that people who would appear in his courtroom would leave with a high view of the Montana First Judicial District in particular and Montana's judicial system more generally.

I enthusiastically support David's application for the judicial vacancy in Montana's First Judicial District.

Best regards,

Nathan Bilyeu
Jackson, Murdo & Grant P.C.

*203 N. Ewing
Helena, MT 59601
Office: 406-442-1314
Cell: 406-425-1331*

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91 Burning Tree Lane
Butte, Montana 59701
September 23, 2020

Via Email

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

Re: First Judicial District Judgeship Vacancy: David Charles Morine

Dear Judicial Nomination Commission Members:

Having known David Morine for nearly a decade having met him when he was a 3L at the University of Minnesota Law School, it is my privilege to submit my letter of recommendation to the Commission in unequivocal support that he be chosen to fill Judge Reynold's upcoming First Judicial District Court retirement vacancy.

The First Judicial District has long been served by judges who not only follow and apply the law fairly and responsibly, they do so while maintaining appropriate decorum, civility, and control in their courtrooms. The ever-evolving partisanship which is unfortunately permeating the federal judiciary has thankfully not materially impacted Montana's judiciary. David as judge will definitely honor, complement, and respect the First District's commitment that Montana courts exist to serve all of the people equally.

Since choosing to practice law in Montana, David has competently and successfully clerked for Justice James Shea and Judge James Reynolds. In each instance he had the opportunity not only to observe Montana law being followed, interpreted, and applied at the highest levels, but also to participate actively in that process. David has also performed the various aspects of private civil practice litigation in the trenches with his law firm Hattersley Walter, PLLP. While advocating for his clients, his commitment to professionalism and civility before the Courts and with his opponents is well known, valued, and respected by those with whom he has interacted.

As a judge, David's courtroom will be a forum in which all will be heard equally and respectfully with the unequivocal expectation that all also will conduct themselves professionally and respectfully. In a Montana District Court District where the per judge caseload is substantial, David will timely and promptly manage his cases so that justice delayed does not result in justice denied. His experiences when clerking for Justice Reynolds have afforded him an excellent real-world practical appreciation of the demands of the 21st century courtroom and the knowledge how best successfully to manage those demands.

During the thirty plus years I practiced law in Butte at Poore, Roth & Robinson, P.C., I learned that perhaps the greatest gift a judge can bring to the Montana judiciary is the absence of a personal agenda or partisan philosophy. The Courts are frequently the people's refuge from the politics of entitlement and purchased access, perhaps the last recourse for the unempowered actually to experience the essence of our democracy. David's commitment to providing such a forum for all who seek justice will be unwavering. He will be a judge whom all can and will respect and appreciate.

Thank you for the important work you do on behalf of all Montanans.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert C. Brown", with a long horizontal flourish extending to the right.

Robert C. Brown

Brian Kahn
Attorney at Law

September 14, 2020

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

I am writing in support of David Morine's application to the First Judicial District Court judgeship.

I have been a resident of Helena for 31 years, and host HOME GROUND, a weekly radio show on Montana and Yellowstone Public Radio. Through that work I engage with a broad cross-section of Montanans.

David and I first became acquainted when our dogs met each other. I lease an office from his firm, and we see a lot of each other. In addition to enjoying the instinctive confidence of dogs, David is mature, caring, calm, hard-working, highly intelligent and articulate. He would be an exceptional member of the judiciary.

David will make a fine addition to the bench, helping to move our nation forward, in the Founders' words, "to establish justice". I unreservedly recommend him for the judgeship.

Yours truly,

Brian Kahn

briankahnACG@gmail.com

Cook, Kevin

From: Menzies, Lois
Sent: Sunday, September 27, 2020 1:19 PM
To: Cook, Kevin
Subject: Public Comment -- Morine

From: Dylan Gallagher <gallagher.dylan@gmail.com>
Sent: Sunday, September 27, 2020 7:24 AM
To: MT Supreme Court,
Subject: [EXTERNAL] Public comment supporting David Morine

To the Judicial Nomination Commission,

I am writing regarding the 1st Judicial District Judgeship vacancy. Before I explain why I support David Morine's appointment to this position, I feel I must first disclose my personal bias in this matter: I like David.

I had the pleasure to work with David while he clerked for the Honorable Judge Jim Reynolds. I met him in the fall of 2015, when I walked into the room where I was to work and found it packed with three desks and two people I did not know. David immediately made me feel welcomed and comfortable.

Over the next seven months, I witnessed David's ability to analyze and reason through novel legal problems. He often engaged me in discussion of these issues and demonstrated an ability to convince me of his position. On the rare occasion where there was a flaw in his reasoning, David embraced the stronger legal argument.

After he left the court to engage in civil practice, I could no longer call David a colleague. I have, however, had the privilege to call him a friend. I was also in a unique position recently to witness the incredible effort David applied to creating Montana's first statewide mock trial competition. His drive and dedication to the program helped make the competition a resounding success.

David is intelligent, driven and compassionate. For these reasons, I do not hesitate to recommend his appointment to the vacant position with the 1st Judicial District Court. The people of Montana would be lucky to have David's hard work and dedication applied to the bench.

Sincerely,
Dylan Gallagher

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Monday, September 28, 2020 9:25:58 PM

From: Teri Smith <terismithmt@gmail.com>
Sent: Sunday, September 27, 2020 11:15 PM
To: MT Supreme Court,
Subject: [EXTERNAL] public comment recommending David Morine

September 27, 2020

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

RE: David Morine Application for First Judicial District Court Judge

Dear Judicial Nomination Commission:

I write in support of David Morine's application for the First Judicial District Court judgeship. David and I have been colleagues, law partners, and friends for five years. David developed quickly as a skilled litigator with experience handling a broad range of civil matters, and his legal work has been exceptional. He has excellent working knowledge of the Montana Rules of Civil Procedure and Rules of Evidence. David is honest and has a strong work ethic. He is conscientious about the quality and timeliness of his work. He consistently demonstrates common sense, critical reasoning, patience, humility, and a good sense of humor. David is thoughtful and exhibits courtesy to and respect for others including clients, witnesses, opposing counsel, judges, court personnel, as well as his own partners and employees.

In addition to a full law practice, David has volunteered countless hours developing and overseeing Montana's mock trial program for high school students. He and his wife Kayleigh spearheaded that program with great enthusiasm, and David continues to serve as a dedicated teacher and mentor.

I am no longer David's partner but it was a pleasure working with him, and a privilege to call him a friend. I highly recommend David as the next district court judge and believe he will serve the public well.

Thank you for your time.

Sincerely,

Teri Walter

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Monday, September 28, 2020 9:26:47 PM

From: Cathryn <thryn1carl@aol.com>
Sent: Sunday, September 27, 2020 10:38 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment - Morine

Dear Judicial Nomination Commission,

My name is Cathryn English-Straub and I have known David Morine for the last 6 years as a parent of two students involved in the Helena School District Mock Trial Program. I encourage you to nominate David Morine for the open seat. I have watched David give tirelessly to the Mock Trial Program since it was started by a student in 2015. Mock Trial is an invaluable experience for students as it teaches public speaking skills and critical thinking on your feet. David volunteered to mentor, support, teach, fundraise and grow the only Mock Trial team in the state of Montana in 2015. As you know teenagers can be a tough crowd to inspire, herd, encourage to work hard and stick with something when it is difficult. David has a special way with the Mock Trial students. He knows how to give feedback that is not shaming but direct, to cheer lead good effort, teach difficult aspects of court room expectations and use his sense of humor to build relationships. Under David's mentorship, the Mock Trial Program has flourished with our first Montana Mock Trial Competition in Montana and teams from around the state competing last year. Not only did David's passionate commitment to Mock Trial make a difference for students in the Helena School District but now also for students around the State of Montana.

I think I bring an interesting perspective to this public comment. Not only am I a parent involved with David Morine in the Mock Trial Program but I am also a Licensed Clinical Social Worker and Licensed Addiction Counselor. I have been in private practice for the last 17 years and throughout that time have worked with addicted people in the community. I have had the pleasure to see Judge Reynolds interact with treatment court individuals. I am happy for Judge Reynolds personally regarding his retirement announcement but personally felt sad and concerned. Judge Reynolds brought patience, kindness and passionate support for the individuals involved in treatment court. As you know the ability to see addiction as a disease that a person is suffering under instead of an issue of morality is key to helping addicted persons be successful in recovery. Further we know that addicted people need to feel cared about as they often feel shame and worthless under the chains of addiction. I have personally witnessed David be compassionate, kind, direct and accepting of students in Mock Trial. I believe these skills along with his sense of humor and ability to build relationships with others would be invaluable to presiding over Treatment Court. Further in looking over his work history, I see David's civil litigation experience, clerking for Judge Reynolds and personal temperament as crucial for Treatment Court to be effective.

I appreciate your time and consideration in the matter.

Sincerely,

Cathryn English-Straub, LCSW, LAC

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Monday, September 28, 2020 9:27:31 PM

From: Jennifer Stallkamp <jenniferstallkamp@gmail.com>
Sent: Monday, September 28, 2020 8:46 AM
To: Menzies, Lois
Subject: [EXTERNAL] Public Comment- David Morine

Dear Judicial Nomination Commission:

I write in support of David Morine's application for the judicial vacancy in the First Judicial District. I am an attorney with the Montana Department of Labor and Industry. I have known David since the infancy of our Montana legal careers. We clerked together in the First Judicial District and sat for the same bar exam. While we have each moved on from clerking, our paths still cross from time to time in the legal realm, and socially when we can find the time.

David is a patient, compassionate, and knowledgeable attorney. He is an excellent advocate for his clients, but always collegial and fair to other parties. He also is not afraid of hard work and difficult legal issues, including doing the research required to address difficult cases. I saw many of these qualities first as a law clerk, and still see them in his practice today. David approached his clerking work with an open mind, and did the research necessary to assist the judge in writing well-grounded opinions.

Also as a clerk, David was instrumental in streamlining courtroom practices by suggesting, researching, and helping to implement the process of moving all initial appearances for the four judges into one session, allowing the judges to make more efficient use of criminal law and motion time.

Most impressively, I think, David and his wife started a Mock Trial team in Helena, the first team of its kind in Montana. As a coach and mentor, David is an ambassador for the legal profession, sharing his extensive legal and professional knowledge and practices with high school students. As a result of his hard work, Montana had its first ever Mock Trial competition earlier this year.

Sincerely,
Jennifer Stallkamp
Attorney, Montana Department of Labor and Industry

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Monday, September 28, 2020 9:28:21 PM

From: Aurora Boutin <ab13@wellesley.edu>
Sent: Monday, September 28, 2020 12:11 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public comment in support of David Morine for the First Judicial District Court

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,

I am writing this letter in wholehearted support of David Morine for the position of district court judge for the First Judicial District Court. I met David when I was a freshman at Helena High School, when I first joined the Mock Trial team that he coaches. Throughout the next four years, David taught me and numerous other students the invaluable lessons of integrity, self-advocacy, compassion, and fairness. In my time spent with David, I was also witness to the kind of man that he is: patient, generous, dedicated, and fair. It's these traits that make me confident in David's ability to fill this judicial vacancy.

In all the hours and years I witnessed David trying to corral rowdy teenagers into learning minute details about the law, I never once saw him get upset or lose his temper. He has a degree of patience and an eagerness to teach that I hope to emulate one day. I also witnessed his generosity and dedication; David coaches the Mock Trial team pro bono, and I know that his presence on the team has been a great gift to me personally and to all students who have participated in Mock Trial. These countless hours of teaching and guidance of young students exemplify David as someone who is dedicated to serving his community. During these years, I also witnessed David's sense of fairness. Often acting as the mock judge for our practices, David modelled equal consideration for both sides, listening with intention and care. He exemplifies fairness and willingness to consider all sides carefully – traits essential to any judgeship.

Based on all of my observations of and interactions with David, I am confident that would make an excellent judge – one that would serve with honor and compassion, and with fairness always at the forefront of his thoughts.

Sincerely,

Aurora Boutin

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Morine
Date: Monday, September 28, 2020 9:28:50 PM

From: William Chambers <chamberslaw406@yahoo.com>
Sent: Monday, September 28, 2020 3:39 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment - David Morine

To the Montana Judicial Nomination Commission,

The purpose of this letter is to support the nomination of David Morine for the First Judicial District Court vacancy. I am an attorney in private practice in Helena and have known David professionally since he clerked for Judge Reynolds.

David is a terrific person. Professionally, David maintains impeccable integrity and is a thoughtful, empathetic advocate. I have called on him for help with complex civil litigation issues and he is always helpful with his insight. David also dedicates considerable time to *pro bono* work and has done an amazing job with the high school mock trial program. Above all, David always strives to protect and nurture the ideals of the justice system, including fairness, openness and efficiency.

David would be a fantastic judge and our court will be better for his service.

Thank you,

Bill.

William A. Chambers
Chambers Law PLLC

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I first met David at a Crowley Fleck office party in 2014. David was a guest of his (now) wife Kayleigh, a new associate, and I was a third year associate at Crowley Fleck. My primary practice area is commercial transactions, but my pro bono work often finds me outside of my comfort zone and inside the courthouse. Once I found out he was a law clerk for Judge Reynolds, I remember cornering an unsuspecting David, asking him to give me an overview of local rules on motions and pleadings and practicing my arguments on him. What stands out about that interaction is David's ability to adapt to unexpected situations, actively listen, ask questions, and explain the judicial process without compromising his professional and ethical obligations. Over the 6 years that I have known David, he continues to support pro bono work in his "behind the scenes" style and has always been willing to share his time and his knowledge in support of the vulnerable individuals in our community.

In 2015, David approached me and my husband to ask if we would volunteer as judges for a high school mock trial program that he was developing. David's enthusiasm and energy for this project was contagious. I participated in a few mock trial practices and witnessed the depths of David's patience, his ability to remain calm in somewhat chaotic circumstances (a roomful of teenagers always throws me for a loop) and his natural educator and leadership strengths. David continues to teach young people about the legal system and how civil and criminal trials work through the mock trial program. David's behind the scenes efforts to foster, develop and grow the mock trial program speaks not only to his passion for educating the public about the legal system, but his ability to interact and collaborate with our community to support these young adults.

I write in support of David not only because I respect him personally and professionally, but because I am passionate about access to justice. The First Judicial District, similar to courts across Montana, has experienced a huge increase in self represented litigants in family law matters. Family cases are the way in which the vast majority of our community will interact with the legal system. The First Judicial District also has the family drug treatment court, which provides an opportunity for parents that are struggling with substance abuse issues to achieve and maintain sobriety and work towards healing the family. The ability to successfully fill Judge Reynolds' place requires more than substantive knowledge and legal experience, it requires compassion, perseverance, patience and the ability to effectively communicate. David's grasp of the substantive and procedural legal issues, as well as the qualities I have highlighted in this letter, make him a great candidate for this judicial spot.

Low income individuals facing criminal charges are entitled to court appointed lawyers, which helps to narrow the gap in access to justice. However, survivors of domestic violence are often left to navigate the complex court systems on their own. We know that the need for civil legal aid far outweighs the funding available to provide these critical services. Therefore, the role of a judge is crucial in providing access to justice of self represented litigants. David's ability to listen with compassion, ask questions and explain the complex civil litigation process to people from all walks of life will improve access to justice and the public's perception of the court system as a fair and trustworthy institution.

Alissa Chambers
Partner at Crowley Fleck, PLLP

HATTERSLEY LAW FIRM, PLLP

Attorneys at Law

THOMAS E. HATTERSLEY, III

DAVID C. MORINE

JOCK O. ANDERSON (Of Counsel)

JEFFREY M. HINDOIEN (Of Counsel)

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TELEPHONE (406) 442-8560
FACSIMILE (406) 442-9414

Julie L. Wood
Direct: (406) 444-8746
jwood@hwlawmt.com

September 24, 2020

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

RE: Application of David Morine for District Judge

Dear Ms. Menzies:

I write in support of David Morine's candidacy for judicial nomination. I have been a legal assistant for over 20 years, and have worked with David since he joined the law firm in 2016. I believe David possesses the qualities to be an excellent judge.

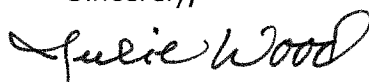
I have a great deal of respect for David's strength of character. On both a professional and personal level, I find he is attentive, enthusiastic, and unfailingly pleasant in all circumstances. He is extremely knowledgeable of the legal system and rules of procedure. He has a tireless work ethic yet maintains a very calming presence and a wonderful sense of humor. In meeting filing deadlines, I benefit from his excellent organizational and time management skills and there is never any last minute drama. He has the compassion to meet every challenge with a smile and once pushed my car out of the garage to assist with a dead battery.

Just one example of David's commitment to professional development and the legal profession is his work with high school students. I have witnessed the tremendous energy he has devoted to coaching the mock trial team. The accomplishment of developing the statewide mock trial program demonstrates his extreme patience and enthusiasm.

It is clear to me he has great passion for the law.

Thank you for your consideration.

Sincerely,


Julie L. Wood

VINCENT | DAVEY LAW FIRM

ATTORNEYS AT LAW

JOHN R. VINCENT

ADMITTED IN MONTANA & WYOMING

AARON J. VINCENT

ADMITTED IN WYOMING

ANN E. DAVEY

ADMITTED IN MONTANA & WYOMING

JANET E. MILLARD

ADMITTED IN MONTANA & WYOMING

WYOMING LEGAL ASSISTANTS

CARLY J. SCHRINAR

KIM SETTLEMIRE

MONTANA LEGAL ASSISTANT

MARCIE HAINES

September 25, 2020

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

Re: 1st Judicial District – David Morine

Dear Ms. Menzies,

Please accept this letter as my recommendation supporting David Morine's application for appointment to replace Judge James Reynolds in the First Judicial District. I wholeheartedly support David in his effort to be appointed.

I became professionally acquainted with David around March, 2019. My firm represented Melissa Dyekman in a wrongful death lawsuit relating to the death of her husband, Jeffrey Dyekman. Jeff was a long time employee of the Montana Department of Transportation and was killed when a young man drove into a marked construction zone on I-90 in Billings, striking and killing Jeff. Two of Jeff's co-workers were standing by the accident and also sustained injuries. The trauma and damages sustained by our client and her two children were significant.

David and his partners, Tom Hattersley and Teri Walter, defended the driver who struck and killed Jeff. Their client's name was Ethan Anderson. He was an employee of a company in Billings named Big Sky Steel & Salvage, Inc. The carrier involved had hired David's firm to represent Ethan separately from the company as it was discovered that Ethan was under the influence of difluoroethane (DFE) at the time of the wreck, which ultimately led to serious felony charges against Mr. Anderson. DFE is found in inhalants, such as dust-off spray for computer keyboards. It causes significant impairment when inhaled.

David was highly involved in the case from the beginning to its conclusion. During our work on the case, I learned quite a bit about David. First and foremost, he was incredibly professional, diligent, responsive, and pleasant to work with. He defended his client well considering the significant consequences that arose from the incident, both civilly and criminally. David was cooperative in making arrangements for us to depose his client at the Montana State Prison,

including making recommendations as to pre-approved court reporters and tips on scheduling the deposition (it proved to be cumbersome). Even though our case involved facts which pointed squarely at his client's liability, David never lost sight of his responsibility to ethically and zealously defend his client, even under difficult circumstances. I know he spent a significant amount of time explaining the status of the civil action to his client, including making time to visit him in person while he was incarcerated. I also note that he was kind and respectful to his client, despite the bad decision his client had made which ultimately led to Jeff Dyekman's death.

At the same time, he expressed genuine empathy for the loss occasioned on our client and her teenage children. He was concerned about them and about the pain they were experiencing. In working to resolve the Dyekman case, I spent a great deal of time talking to David and his partner Tom Hattersley and never felt like I needed to look over my shoulder or that I was at risk of being hood winked. In fact, we spent a lot of time discussing various legal issues that may arise because of the wreck, including exclusions to insurance coverage, possible claims relating to scope and course of employment, and affirmative defenses such as intervening and superseding cause. I was not concerned that my transparency with David would cause my client's case any harm; quite the opposite, as David too was forthcoming with his evaluation of the case.

Luckily, I was able to spend some time visiting with David during depositions and mediation, including a long lunch in Billings. As a "person", he is affable, smart and down to earth. He has a broad background in civil litigation, which was obvious in working with him and I hope weighs heavily in the commission's evaluation of his credentials. He is compassionate and diligent. I wholeheartedly support David's application to be appointed to the bench in the 1st Judicial District.

Please let me know if you would like to discuss my professional experience with David in greater detail. My email is ann@vincentdaveylaw.com and my phone number is (406) 322-8557.

Very truly yours,



Ann E. Davey