CIVIL

Pre-Trial Decision

47. **Involuntary Dismissal**

The district court's decision regarding involuntary dismissal will not be disturbed unless the court clearly abuses its discretion. **Doug Johns Real Estate v. Banta**, 246 Mont. 295, 298, 805 P.2d 1301, 1303 (1990). Because an involuntary dismissal is a severe result, courts should refrain from dismissing a claim unless there is no other adequate remedy available and the facts call for such a result. **Doug Johns Real Estate**, 246 Mont. at 298, 805 P.2d at 1303.