

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

1999 MTWCC 74A

WCC No. 9907-8280

STATE COMPENSATION INSURANCE FUND

Petitioner

vs.

MONTANA SIGN, SKINNER ENTERPRISES LIFESTYLE HOMES
and ANDY SKINNER

Respondents/Purported Employers

DANIEL GLOVER

Claimant/Respondent.

SUA SPONTE ORDER WITHDRAWING SANCTIONS

¶1 On November 24, 1999, the Court issued its Order Regarding Motion to Compel. In that Order, I imposed sanctions on respondents. In doing so, I overlooked the last sentence of Rule 24.5.326, which provides:

Prior to any imposition of sanctions, the court shall provide the party who may be sanctioned with the opportunity for hearing.

Opportunity for hearing was not provided, thus the Court violated its own rule.

¶2 Accordingly, the sanctions imposed under the Order are **withdrawn and rescinded**.

¶3 A hearing on the petitioner's motion for sanctions is **set** on Thursday, December 16, 1999, 8:00 a.m., fifth floor small courtroom, Federal Building, 301 South Park, Helena, Montana.

¶4 SO ORDERED.

DATED in Helena, Montana, this 30th day of November, 1999.

(SEAL)

/s/ Mike McCarter

JUDGE

c: Mr. Thomas E. Martello

Mr. Norman H. Grosfield

Mr. Robert T. Cummins

Lesofski & Walstad Court Reporting