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Bach v. Dawson Clerk's Record Dckt. 38380

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LAW CLERK

IN THE
SUPREME COURT
OF THE
STATE OF IDAHO

Vol. 1 of 1

John N. Bach

Plaintiff / Respondent

Wayne Dawson

Defendant / Appellant

and

Katherine Miller, et. al.

Defendants

Appealed from the District Court of the Seventh *Judicial*

District of the State of Idaho, in and for Teton *County*

Hon. Darren B. Simpson *, District Judge*

John N. Bach, Pro Se, P.O. Box 101, Driggs, Idaho 83422

Jared M. Harris 266 West Bridge Street Blackfoot, Idaho 83221

Attorney for Defendants/Appellants

Filed this _____ *day of* _____

FILED - COPY

FEB 22 2011

20

Clerk

By _____

Supreme Court Clerk of the State of Idaho
Jared M. Harris

Deputy

38380

**Supreme Court No. 38380-2010
Teton County No. CV 02-208**

**John N. Bach
Plaintiff/Respondent**

vs.

**Wayne Dawson
Defendant/Appellant**

and

**Katherine D. Miller, et al
Defendants**

John N. Bach, Pro Se
P.O. Box 101
Driggs, Idaho 83422
Plaintiff/Respondent

Jared M. Harris
266 West Bridge Street
Blackfoot, Idaho 83221
Attorney for Defendant/Appellants

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Date	Code	User	Judge
7/23/2002	NEWC	PHYLLIS	New Case Filed
		PHYLLIS	Filing: G3 - All Other Actions Or Petitions, Not Demanding \$ Amounts Paid by: john bach Receipt number: 0019049 Dated: 07/23/2002 Amount: \$77.00 (Cash)
	AFFD	PHYLLIS	Affidavit Of Plaintiff John N. Bach, In Support Of Application/Request /for Immediate Ex Parte Issuance Of Restraining Order, And For Order To Show Cause For Preliminary & permanet Injuction Against All Defendants, Their Agents, Etc. Protecting Plaintiff's Person And Properties.
7/25/2002	ORDR	PHYLLIS	Order of Voluntary Disqualification
	ORDR	PHYLLIS	Order of Assignment
	DISF	PHYLLIS	Disqualification Of Judge - Self
	ORDR	PHYLLIS	Order Restraining All Defendants, Their Agent, Attorneys, Or Any Persons/Entities From Entering, Accessing Or Attempting To Enter, Access Or Be On Any Of Plaintiff's Properties
7/26/2002	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 19079 Dated 07/26/2002 for 2500.00)
	HRSC	PHYLLIS	Hearing Scheduled (Motions 08/08/2002 04:30 PM)
8/7/2002		PHYLLIS	Filing: 11A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Alva Harris Receipt number: 0019128 Dated: 08/07/2002 Amount: \$47.00 (Check)
		PHYLLIS	Filing: 11A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Alva Harris Receipt number: 0019129 Dated: 08/07/2002 Amount: \$47.00 (Check)
	NOTC	PHYLLIS	Notice of SPecial Appearance
	NOAP	PHYLLIS	Notice Of Appearance
	MOTN	PHYLLIS	Motion to Dissolve
8/8/2002	RETS	PHYLLIS	Return Of Service Upon Katherine D. Miller aka Katherine M. Miller and Jack Leed McLean and Alva A Harris, Individually & dba Scona, Inc., A Sham Entity and Bob Bagley & Mae Bagley
8/9/2002	HRVC	PHYLLIS	Hearing result for Motions held on 08/08/2002 04:30 PM: Hearing Vacated
8/13/2002	AFFD	PHYLLIS	Affidavit of Alva Harris
	MISC	PHYLLIS	Certificate of Assumed Business Names
8/15/2002		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Katherine Miller Receipt number: 0019175 Dated: 08/15/2002 Amount: \$1.00 (Cash)

Date	Code	User	Judge
8/16/2002		PHYLLIS	Filing: 11A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Galen Woelk Receipt number: 0019183 Dated: 08/16/2002 Amount: \$47.00 (Check)
	ORDR	PHYLLIS	Order and Preliminary Injunction
8/19/2002	MOTN	PHYLLIS	Motion for More Definitive Statement
8/20/2002		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Katherine Miller Receipt number: 0019201 Dated: 08/20/2002 Amount: \$10.00 (Cash)
8/27/2002	SUBC	PHYLLIS	Substitution Of Counsel
	MISC	PHYLLIS	Objection to P's NOTH and MOTion
9/3/2002	MEMO	PHYLLIS	P's Initial Memorandum Brief in Support of this 3 Motions
	AFFD	PHYLLIS	Affidavit
	NOTC	PHYLLIS	Notice of Motions
	ORDR	PHYLLIS	Order on Pending Motions
9/4/2002	NOTC	PHYLLIS	Notice
9/5/2002	MISC	PHYLLIS	Objection to Hearing
9/6/2002	NOTH	PHYLLIS	ReNotice Of Motions
9/9/2002	MISC	PHYLLIS	Objection to Hearing and Request for Sanctions
9/13/2002	NOTC	PHYLLIS	P's Notice of Motions
	HRSC	PHYLLIS	Hearing Scheduled (Motions 10/11/2002 10:00 AM)
9/16/2002	MISC	PHYLLIS	D Miller's Objection to Bach's MOTion
9/17/2002	MISC	MAUREEN	D Miller's Objection to Bach's Motions
	HRRS	PHYLLIS	Hearing Rescheduled (Motions 10/09/2002 02:30 PM)
9/19/2002	ORDR	PHYLLIS	Second Order on Pending Motions
9/27/2002	COMP	PHYLLIS	First Amended Complaint Filed
10/3/2002	MOTN	GABBY	Motion To Strike Plaintiff's First Amended Complaint And For Rule 11 (a) (1) Sanctions Against John Bach
10/9/2002	HRHD	PHYLLIS	Hearing result for Motions held on 10/09/2002 02:30 PM: Hearing Held
10/15/2002	ORDR	PHYLLIS	Order Sealing All Records Of In Camera Session On September 9, 2002
	ORDR	PHYLLIS	Thrid Order Pendine Motions
10/24/2002	NOTH	PHYLLIS	Notice Of Hearing
	HRSC	PHYLLIS	Hearing Scheduled (Motions 11/26/2002 02:00 PM)
10/29/2002	MOTN	GABBY	Motion For Order Commanding Removal Of Horses From Enjoined Property

Date	Code	User		Judge
11/12/2002	MOTN	GABBY	Motion	Richard T. St. Clair
11/19/2002	MISC	PHYLLIS	Plaintiff's Objections	Richard T. St. Clair
11/27/2002	ORDR	GABBY	Order And Notice Setting Jury Trial	Richard T. St. Clair
12/2/2002	ORDR	GABBY	Plaintiff's Closing Brief In Support Of Finding & Orders Holding Defendants In Contempt Of Preliminary Injunction.	Richard T. St. Clair
12/3/2002	ORDR	GABBY	Fourth Order On Pending Motions	Richard T. St. Clair
12/6/2002	HRHD	GABBY	Hearing result for Motions held on 11/26/2002 02:00 PM: Hearing Held	Richard T. St. Clair
	HRSC	GABBY	Hearing Scheduled (Pre-Trial Conference 05/30/2003 03:00 AM)	Richard T. St. Clair
	HRSC	GABBY	Hearing Scheduled (Jury Trial 06/10/2003 10:00 AM)	Richard T. St. Clair
	NOTC	GABBY	Notice Of All Current Motions To Be Heard On Thursday 9, 2003 At 9 a.m. In Bonneville County Courthouse, Before Judge St. Claire	Richard T. St. Clair
12/9/2002	NOTC	PHYLLIS	Notice to Appear Telephonically	Richard T. St. Clair
1/10/2003	ORDR	GABBY	Fifth Order On Pending Motions	Richard T. St. Clair
1/21/2003	NOTC	GABBY	Plaintiff's Notice Of Initiation Of His First Request For Production	Richard T. St. Clair
	AFFD	PHYLLIS	Affidavit for Entry of Default	Richard T. St. Clair
	AFFD	PHYLLIS	Affidavit Re Service of Summons	Richard T. St. Clair
1/22/2003	MISC	PHYLLIS	Entry of Default Against Jack McLean	Richard T. St. Clair
	AFFD	PHYLLIS	Affidavit re Service of Summons	Richard T. St. Clair
	MOTN	PHYLLIS	Motion to Dismiss	Richard T. St. Clair
	AFFD	PHYLLIS	Affidavit of Katherine Miller in Support of Motion	Richard T. St. Clair
	MEMO	PHYLLIS	Memorandum in Support of Motion	Richard T. St. Clair
	MOTN	PHYLLIS	Motion to Dismiss and for Sanctions	Richard T. St. Clair
1/23/2003	AFFD	PHYLLIS	P 's Application and Affidavit Requesting Entry of Default	Richard T. St. Clair
	AFFD	PHYLLIS	Affidavit Re Personal Service	Richard T. St. Clair
	MISC	PHYLLIS	Entry of Default	Richard T. St. Clair
	MOTN	PHYLLIS	P's Ex Parte Motion with Supporting Affidavit	Richard T. St. Clair
1/27/2003	AFFD	GABBY	Applicatin and Affidavit for Entry of Default	Richard T. St. Clair
	MISC	GABBY	Entry of Default	Richard T. St. Clair
1/28/2003	MEMO	GABBY	Plaintiff John N. Bach's Memorandum Brief #1, Re His Objections & Opposition To Defendant Katherine Miller's Motion To Dismiss (Rule 12(b) (8); And Motion To Strike Said Defendant's Monetary Sanction.	Richard T. St. Clair
	ORDR	PHYLLIS	Sixth Order on Pending Motion	Richard T. St. Clair

Date	Code	User	Judge
1/29/2003		GABBY	Filing: l1A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Stan Nickell Receipt number: 0019973 Dated: 01/29/2003 Amount: \$47.00 (Check)
	ORDR	GABBY	Seventh order On Pending Motions
1/31/2003	MISC	PHYLLIS	P's Initial Disclosure List and Ex Parte Motion
2/3/2003	AFFD	GABBY	Affidavit Of John N. Bach, In opposition & Refutation Of Katherine Miller's Affidavit In Support Of Her Motion To Dismiss
2/5/2003		GABBY	Filing: l1A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Baker & Harris Receipt number: 0020015 Dated: 02/05/2003 Amount: \$47.00 (Check)
	MOTN	GABBY	Motion To Set Aside Default
	AFFD	GABBY	Affidavit Of Jared M. Harris
	MOTN	GABBY	Motion To Dismiss
	MEMO	GABBY	Memorandum In Support Of Motion To Dismiss
	MOTN	GABBY	Motion For Disqualification
	MEMO	GABBY	Plaintiff's Initial Memorandum Brief Of Objections and Oppositions To Defendants
2/6/2003		GABBY	Filing: l1A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Ann-Toy Broughton Receipt number: 0020021 Dated: 02/06/2003 Amount: \$47.00 (Cash)
2/11/2003	NOTC	GABBY	Miller's Notice Of Submission Of Relevant Documents
		PHYLLIS	Filing: l1A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Hawley, Troxell, Ennis & Hawley LLP Receipt number: 0020059 Dated: 02/11/2003 Amount: \$47.00 (Check)
	MOTN	PHYLLIS	Motion To Dismiss
	MOTN	PHYLLIS	Brief In Support Of Motion To Dismiss
	AFFD	PHYLLIS	Affidavit Of Jason D. Scott
	MEMO	GABBY	Plaintiff John N. Bach's Memorandum Of Objections & Opposition To Defendants In Default Motion To set Aside Default.....
	MEMO	GABBY	Plaintiff Memorandum Brief Re Objections & opposition to Defendants Dawson's Motion To Dismiss.....
	MOTN	GABBY	Plaintiff Motion To Strike And Quash Defendant's Dawson's Motion to Disqualify the Honorable Richard T. St. Clair.....
2/19/2003	MEMO	GABBY	Plaintiff Memorandum Brief Of Objections & opposition To Defendants
2/21/2003	MOTN	GABBY	Motion For Protective Order

Date	Code	User		Judge
2/25/2003	MOTN	PHYLLIS	P's Motion Re: Order Compelling Production of Documents	Richard T. St. Clair
3/4/2003	ORDR	PHYLLIS	Eighth Order on Pending Motions	Richard T. St. Clair
3/7/2003	MISC	PHYLLIS	P's Statement Response and Designation of District Judge	Richard T. St. Clair
	ORDR	GABBY	Ninth Order On Pending Motions	Richard T. St. Clair
3/10/2003	MOTN	GABBY	Reply In Support Of Motion To Dismiss	Richard T. St. Clair
	AFFD	GABBY	Supplemental Affidavit Of Jason D. Scott	Richard T. St. Clair
3/17/2003		GABBY	Filing: 11B - Civil Answer Or Appear. More Than \$1000 With Prior Appearance Paid by: Woelk, Galen (attorney for Miller, Katherine) Receipt number: 0020226 Dated: 03/17/2003 Amount: \$14.00 (Check)	Richard T. St. Clair
		GABBY	Filing: J6B - Special Motions Third Party Complaint With Prior Appearance Paid by: Woelk, Galen (attorney for Miller, Katherine) Receipt number: 0020227 Dated: 03/17/2003 Amount: \$8.00 (Check)	Richard T. St. Clair
	SMIS	GABBY	Summons Issued	Richard T. St. Clair
	AFFD	GABBY	Affidavit Of Katherine Miller In Support Of Motion For Contempt	Richard T. St. Clair
	MOTN	GABBY	Motion For Contempt Against Plaintiff Bach, To Compel Performance, And For Attorney Fees	Richard T. St. Clair
	ANSW	PHYLLIS	Answer, Counterclaim, and Jury Demand of Defendant Katherine Miller	Richard T. St. Clair
3/19/2003	NOTS	PHYLLIS	Notice Of Service	Richard T. St. Clair
	MISC	PHYLLIS	Request for Appointment of Mediator	Richard T. St. Clair
	MISC	PHYLLIS	Objection to Request for Production of Documents	Richard T. St. Clair
	ANSW	PHYLLIS	Answer Demand for Jury Trial	Richard T. St. Clair
	MISC	PHYLLIS	Entry Of Default Against Defendants: 1) Alva A Harris..... (Entered per instruction of Judge St. Clair to strike Targhee Powder Emporium) (Copy of Default with change mailed to Mr. Bach.)	Richard T. St. Clair
	AFFD	PHYLLIS	Application and Affidavit Of John N. Bach for Entry of Default	Richard T. St. Clair
3/20/2003	NOTC	PHYLLIS	Notice Of Hearing on March 28, 2003, 9:00 am @ Bonneville County Courthouse	Richard T. St. Clair
3/25/2003	NOTC	GABBY	Notice Of Vacation Of Motion For Contempt	Richard T. St. Clair
3/26/2003	MISC	PHYLLIS	P's Further Memorandum Brief in Opposition to D's Motions and Affidavit re Clerk's Irregularities/Actions (There was no Affidavit attached to the document.)	Richard T. St. Clair
3/27/2003	NOTC	GABBY	Defendant Miller's Notice Of Expert Witnesses	Richard T. St. Clair

Date	Code	User		Judge
3/27/2003	MOTN	PHYLLIS	Plaintiff John N. Bach's Ex Parte Motion To Strike, Last Three Lines Of Miller's Notice Of Vacation Of Motion For Contempt	Richard T. St. Clair
3/28/2003	AFFD	PHYLLIS	Affidavit Of Plaintiff re: Clerk's Irregularities/Actions Re Entries Of Default And Documents' Filing	Richard T. St. Clair
	MOTN	PHYLLIS	Plaintiff's Notice Of Motion For Orders (1) To Reinstate Or Enter Defaults	Richard T. St. Clair
	MOTN	PHYLLIS	Plaintiff's Notice Of Motion Re Orders (5) Striking, Vacating & Withdrawing Filing Of Katherine Miller	Richard T. St. Clair
3/31/2003	NOTC	PHYLLIS	Notice Of Service	Richard T. St. Clair
4/1/2003	MOTN	GABBY	Objection To Plaintiff's Notice Of Hearing, And Alternative Motion For Continuance	Richard T. St. Clair
		GABBY	Filing: 11A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Harris, Alva (defendant) Receipt number: 0020300 Dated: 04/01/2003 Amount: \$47.00 (Check) For Bret Hill And Deena Hill	Richard T. St. Clair
	NOAP	PHYLLIS	Notice Of Appearance on Bret Hill and Deena Hill	Richard T. St. Clair
4/2/2003	MOTN	GABBY	Motion To Set Aside Default	Richard T. St. Clair
	AFFD	GABBY	Affidavit Of Jared M. Harris	Richard T. St. Clair
	ORDR	GABBY	Tenth Order On Pending Motions	Richard T. St. Clair
	ORDR	GABBY	Eleventh Order On Pending Motions	Richard T. St. Clair
4/4/2003	NOAP	PHYLLIS	Notice Of Appearance for Donna Dawson and Wayne Dawson	Richard T. St. Clair
	MISC	PHYLLIS	P's Opposition to Response and Motion to Strike D Miller's Objection to P's Notices of Hearing and Alternative Motion for hearing	Richard T. St. Clair
	MISC	PHYLLIS	P's Initial Objections and Opposition to Ds' Harris, Fitzgerald, Lyle, Olson, McLean and Scona's Motion to Set Aside Default	Richard T. St. Clair
	MISC	PHYLLIS	P's Objections and Motion to Strike Affidavit of Jared Harris	Richard T. St. Clair
	ANSW	PHYLLIS	Plaintiff and Counterclaimant's Answer and Affirmative Defenses to Counterclaims of Katherine Miller	Richard T. St. Clair
4/8/2003	ORDR	GABBY	Twelfth Order On Pending Motions	Richard T. St. Clair
	MOTN	GABBY	Motion To Dismiss	Richard T. St. Clair
	MOTN	GABBY	Brief In Support Of Motion To Dismiss	Richard T. St. Clair
	AFFD	GABBY	Affidavit Of H. Cody Runyan	Richard T. St. Clair
4/9/2003	MISC	MAUREEN	P's & counterclaim Defendant Supplemental Memorandum Brief in Support of his seven Motions Filed March 28, 2003	Richard T. St. Clair
4/14/2003	NOTC	PHYLLIS	P's Notice of Motions and Motion for 9 separate Orders	Richard T. St. Clair

Date	Code	User	Judge
4/14/2003		PHYLLIS	Filing: 17A - Civil Answer Or Appear. All Other Actions No Prior Appearance Paid by: Cindy Miller Receipt number: 0020362 Dated: 04/16/2003 Amount: \$47.00 (Check) Talked to Judge St. Clair (twice). He said to take check and to apply it as an Answer NPA
	ANSW	PHYLLIS	Answer to First Amended Complaint and Demand for Jury Trial (Galen Woelk)
	MOTN	PHYLLIS	Motion for Summary Judgment
	MISC	PHYLLIS	Brief in Support of MOTion for Summary Judgment
	MOTN	PHYLLIS	Motion to Sever or Alternatively, to Continue
	MISC	PHYLLIS	Brief in Support of Motion to Sever
	NOTH	PHYLLIS	Notice Of Hearing
	NOAP	PHYLLIS	P & THlrd Party D Special Appearance, Notice of Motions and Motions to Quash, Strike or Invalidate Service of Summons and Third Party Complaint
4/15/2003		GABBY	Filing: 11A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Bush, Ronald E. (attorney for Runyan, Cody) Receipt number: 0020356 Dated: 04/15/2003 Amount: \$47.00 (Check)
	MISC	GABBY	Minute Entry (March 28, 2003)
	MOTN	PHYLLIS	P's Ex Parte Motion for Protective Order Staying D's Discovery Requests
4/17/2003	AFFD	GABBY	Supplemental Affidavit Of John N. Bach, In Support Of His Noticed Motions To Be Heard May 2, 2003 @ 9:30 am
4/18/2003	MEMO	PHYLLIS	P's Memorandum Brief in Support of his Motions
	AFFD	PHYLLIS	Affidavit of John N. Bach in Support of His Motions for Summary Judgment
	NOTC	PHYLLIS	Plaintiff & Counterclaim Defendant John N. Bach's Notice of Motions and Motions for Summary Judgment
4/22/2003	MISC	PHYLLIS	P's Opposition to D Runyan's Motion to Dismiss and P's Notice of Motion
4/24/2003	MISC	PHYLLIS	Miller's Objection to those Motions Filed by Bach on April 14, 2003
	MISC	PHYLLIS	D Millr's Objection to Bach's Motion for Protection Order...
	MOTN	PHYLLIS	Motion to Compel and Affidavit and Notice of Hearing
4/25/2003	MOTN	GABBY	Miller's Objection To Bach's Motion #6, And Miller's Motion To Set aside Bach's "Special Appearance And Motion To Quash
	AFFD	GABBY	Affidavit And Application For Entry Of Default

Date	Code	User	Judge
4/28/2003	AFFD	GABBY	Affidavit Of John N. Bach RE Objections & Refutation-Opposition To Defendant Galen Woelk' Individually & dba Runyan & Woelk, Motion For Summary Judgment
4/29/2003	MEMO	PHYLLIS	P's Objections and Opposition Memorandum to D Richard T. St. Clair
4/30/2003	NOTC	PHYLLIS	Notice to Appear Telephonically
	NOTC	GABBY	Amended Notice Of Hearing
5/1/2003	MEMO	GABBY	Plaintiff, Counterclaim And Third Party Defendant John N. Bach's Closing Memorandum Brief In Support Of His Motion #6
5/2/2003		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: john bach Receipt number: 0020478 Dated: 05/02/2003 Amount: \$7.00 (Cash)
		PHYLLIS	Miscellaneous Payment: Personal Copy Fee Paid by: john bach Receipt number: 0020478 Dated: 05/02/2003 Amount: \$.50 (Cash)
5/5/2003	MISC	GABBY	Minute Entry
	MEMO	GABBY	Plaintiff's Memorandum Brief Of Objections & Opposition To Defendant Galen Woelk's Motion For Summary Judgment
	MOTN	GABBY	Plaintiff's Notice Of Motions & Motions Re Orders
5/6/2003	MOTN	GABBY	Motion To Continue Trial Date And For Continuance Of Time To File Dispositive Motions, Notice Of Hearing
	HRSC	GABBY	Hearing Scheduled (Motions 05/20/2003 01:30 PM)
	MOTN	GABBY	Miller's Motion For Rule 11 Sanctions Against Bach And Notice Of Hearing
	MOTN	GABBY	Miller's Objection To Bach's Motion For Summary Judgment
	ORDR	GABBY	Thirteen Order On Pending Motions
	MISC	GABBY	Defendant Miller's Brief In Opposition To Summary Judgment
	AFFD	GABBY	Katherine Miller's Affidavit In Objection To Bach's Motion For Summary Judgment
5/8/2003	MOTN	PHYLLIS	Renewed Motion to Set Aside Default and Notice of Hearing
	MEMO	PHYLLIS	Memorandum is Support of Renewed Motion
	AFFD	PHYLLIS	Affidavit of Wayne Dawson in Support of Renewed Motion
	MOTN	PHYLLIS	Motion for Order to Shorten Time
	NOTC	GABBY	Notice Of Hearing
	MOTN	GABBY	Motion To Set Aside Default

Date	Code	User	Judge
5/8/2003		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Bach Receipt number: 0020505 Dated: 5/8/2003 Amount: \$18.00 (Cash) (EXHIBITS)
5/13/2003	MOTN	GABBY	Opposition To Plaintiff's Motions to (1) Stay Woelk's Motion For Summary Judgment (2) Strike Woelk's Motion For Summary Judgment (3) Strike Woelk's Answer
	MOTN	GABBY	Reply In Support Of Motion For Summary Judgment
	MISC	GABBY	Rec'v Original Signature Page Of Affidavit Of Wayne Dawson
	AFFD	GABBY	Affidavit Of John N. Bach For Entry Of Default Against Defendant Earl Hamlin In All Capacities Served And Named In First Amended Complaint
	MISC	GABBY	Entryb Of Default Against Defendant Earl Hamlin, In All Capacities Served And/Or Named In the First Amended Complaint
	MOTN	GABBY	Plaintiff John N. Bach's Closing Brief In Support Of His Motion For Summary Judgment Against All Defendants
	MEMO	GABBY	Plaintiff's John N. Bach Memorandum Of Objection/Opposition To Defendant Katherine Miller's Motion To: Continue Trial Date And For Continuance Of Time To File Dispositive Motions
	MEMO	GABBY	Plaintiff's & Counterclaim Defendant John N. Bach's Memorandum Re: Objections And Opposition To: "Miller's Motion For Rule 11 Sanctions Against Bach"
5/14/2003	MOTN	PHYLLIS	Motion For Protection Order
	MOTN	PHYLLIS	Motion For Order To Shorten Time
5/15/2003	MISC	PHYLLIS	Objection to P's Closing Brief in Support of his Motion for Summary Judgment Against all Defendants
	MISC	PHYLLIS	P's Objectins and Motion to Strike as well as Opposition to D's Dawson's Motion to Set Aside Default and Offered Affidavit Memorandum and Motion for Order Shortening Time
5/16/2003	MEMO	PHYLLIS	P's Memorandum re Objections, Motion to Strike, and Opposition to Dawson's Motion for protective Order
	AFFD	PHYLLIS	Affidavit of Jared M. Harris
	MOTN	PHYLLIS	Motion for Entry of Default against Vasa N. Bach Family Trust and Targhee Powder Emporium...
	MOTN	PHYLLIS	Motion for Reconsideration of Alternative Request for Findings of Facts

Date	Code	User	Judge
5/16/2003	MOTN	GABBY	Plaintiff John N. Bach's Notice Of Ex Parte Motion And Motion For Immediate Issuance Of Writ Of Possession, Assistance And/Or Seizure Of P's Vehicles And Trailors Still In Defendants Possession, Especially In Possession Of Blake Lyle
5/19/2003	MEMO	PHYLLIS	P's Memorandum of Objections and Opposition to D's Represented by Alva Harris Motion to Set Aside Default and For Sanctions of Precluding any Further Motions by Alva Harris for himself or any Defendants he Represents Herein.
	NOTS	PHYLLIS	Notice Of Service of Discovery
5/20/2003	MEMO	PHYLLIS	P's Memorandum of Response to Woelk's Objection to P's Closing Brief in Support of His Motion for Summary Judgment against all Defendants
	HRHD	PHYLLIS	Hearing result for Motions held on 05/20/2003 01:30 PM: Hearing Held
5/22/2003	MOTN	GABBY	Motion To Disqualify Bach As Pro-Se Counsel And Notice Of Hearing
	NOTC	GABBY	Notice Of Hearing
	ORDR	GABBY	Order
5/23/2003	MISC	GABBY	Plaintiff's Supplemental Answers & Responses, Without Waiver Of Previous Objections And Assertions Of Privileges, Etc., To Defendant Miller's Interrogatories And Request For Production Of John N. Bach, Dated March 31, 2003
5/27/2003	MISC	PHYLLIS	Miller's Requested Jury Instructions , Memorandum, Descriptive Exhibit and Witness List
	MEMO	PHYLLIS	Pre-Trial Memorandum of Points and Law
	MISC	PHYLLIS	Miller's Descriptive Exhibit List
	MISC	PHYLLIS	Miller's Notice of Proposed Witnesses
	MISC	PHYLLIS	Disclosure of Additional Discovery
5/28/2003	MISC	PHYLLIS	P's Witness List
	MISC	PHYLLIS	P's Exhibit List
	MISC	PHYLLIS	P's Pre Trial Statement and Preliminary Trial Brief
	MOTN	PHYLLIS	P's Objectins, Motion to Strike and Opposition to D's Motion to Set Aside Default, Motion to Reinstate Answer and Motion for Order to Shorten Time for Service
	ORDR	GABBY	Fourteenth Order On Pending Motions
5/29/2003	MISC	GABBY	Response To Order And Notice Setting Jury Trial
	MISC	GABBY	Minute Entry

Date	Code	User		Judge
5/29/2003	MOTN	GABBY	Motion For Order To Shorten Time/Notice Of Hearing	Richard T. St. Clair
	NOTC	GABBY	Notice Of Hearing/Motion To Set Aside Default/Motion To Reinstate Answer	Richard T. St. Clair
	PRT0	GABBY	Pre-trial Statement	Richard T. St. Clair
	MISC	GABBY	Witness List	Richard T. St. Clair
	MISC	GABBY	Exhibit List	Richard T. St. Clair
	MISC	GABBY	Proposed Jury Instructions	Richard T. St. Clair
5/30/2003	AFFD	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Affidavit For Entry Of Default Against Defendants Bret Hill & Deena R. Hill, Named In First Amended Complaint	Richard T. St. Clair
	MISC	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Notice Of Application For Default Judgments' Hearing, Against All Defendants Whose Defaults Have Been Entered	Richard T. St. Clair
	MISC	GABBY	Entry Of Default Against Defendants Bret Hill And Deena R. Hill On The First Amended Complaint	Richard T. St. Clair
	MISC	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Trial Brief No. Two (2) Defendant & counterclaimant Miller's Answer & All Counterclaims Are Barred As A Matter Of Both Fact And Law-By Miller's Discharge Of Claims Against Back In His Chapter 13 Bankruptcy & Per the Written Undispute Settlement Agreement Of October 3, 1997	Richard T. St. Clair
	MISC	GABBY	Disclosure Of Additional Discovery	Richard T. St. Clair
	MISC	GABBY	Plaintiff's & Counterclaim Defendant's John N. Bach's Further Delineation And Designation Of Exhibits To Be Offered At Trial	Richard T. St. Clair
	HRHD	GABBY	Hearing result for Pre-Trial Conference held on 05/30/2003 03:00 AM: Hearing Held	Richard T. St. Clair
	MISC	GABBY	Plaintiff John N. Bach's Trial Brief #3 Re For Immedeate Entry Of Judgment Quieting Title To Plaintiff On Those Properties Subject Of Second, Third, And Fourth Counts, Reserving Issues Of All damages Thereon	Richard T. St. Clair
6/2/2003	MISC	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Proposed/Submitted Jury Instructions	Richard T. St. Clair
	MOTN	GABBY	Miller's Second Motion To Compel Discovery Or Alternatively Dismiss Counts Of Bach's Compalint As Sanctions	Richard T. St. Clair
	MISC	GABBY	Miller's Objection To Bach's "No Three (3) Re For Immediate Entry Of JUDgment Quieting Title"	Richard T. St. Clair
	MISC	GABBY	Defendant Ann-Toy Broughton's Witness List Of Persons Defendant May Call To Testify At Trial, June 10, 2003	Richard T. St. Clair
	ORDR	PHYLLIS	Fifteenth Order of Pending Motions	Richard T. St. Clair

Date	Code	User	Judge
5/3/2003	MOTN	PHYLLIS	Second Renewed Motin to Set Aside Default and Notice of Hearing
	AFFD	PHYLLIS	Affidavit of Wayne Dawson in Support of Second Renewed Motin
	MOTN	PHYLLIS	Motion for Order to Shortend Time
	MOTN	PHYLLIS	Motion to Continue Trial or in the Alternative, to Bifurcate and Notice of Hearing
	AFFD	PHYLLIS	Affidavit of Jared harris in Support of Motion to Continue
	NOTH	PHYLLIS	Notice Of Hearing Motion to Set Aside Default and Motion to Reinstate Answer
	AFFD	PHYLLIS	Affidavit of Alva Harris in Support of Motions
	MOTN	PHYLLIS	Motion for Order to Shorten Time
	NOTC	PHYLLIS	Notice to Appear Telephonically
	MEMO	PHYLLIS	P's Memorandum Brief Re Objections Motion to Strike and Opposition To D Dawson's Motions
	ORDR	GABBY	Final Pre-Trial Order
6/4/2003	MISC	PHYLLIS	D Broughton's Exhibit List
		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Ann Toy Broughton Receipt number: 0020645 Dated: 06/04/2003 Amount: \$1.00 (Cash)
	NOTC	PHYLLIS	Notification of Death of Party
6/5/2003	MISC	PHYLLIS	Default
6/6/2003	MISC	PHYLLIS	Disclosure of Additional Discovery
	MOTN	PHYLLIS	Motion for Order to Shorten Time
	MOTN	PHYLLIS	Motion to Set Aside Default and Notice of Hearing
	MOTN	PHYLLIS	Motion to Continue Trial or in the Alternative to Bifurcate and Notice of hearing
	AFFD	PHYLLIS	Affidavit of Deena R. Hill
	MISC	PHYLLIS	Verified Answer to First Amended Complaint
	MISC	GABBY	Plaintiff John N. Bach's Objections, Motion To Strike, And Opposition To Any Standing Or Capacity Of Katherine Miller Or Her Counsel, "Miller's Objection To Bach's No. Three (3) Re For Immediate Entry Of Judgement Quieting Title."
	MISC	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Objections, Motion To Strike And Opposition To Miller's Second MOTion To Compel Discovery Or Alternatively Dismiss Counts Of Bach's Complaint As Sanctions.
	MISC	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Objections, Motion To Strike & Opposition To Defendants Bret & Deena R. Hill's Motions To Set Aside Defaults, Continue Trial Or Bifurcate.

Date	Code	User	Judge
5/9/2003	MISC	PHYLLIS	Request For Damages Determination Hearing
	MISC	PHYLLIS	P's Counterclaim Defendant John N. Bach's Further Discovery Per Court's Ruling On June 5, 2003 And Per Recent Accessing/Obtaining Of Files And Materials From His San Marino Home, etc.
6/11/2003	MISC	GABBY	Objection To Entry Of Judgment On Default
	NOTC	GABBY	Notice Of Evidentiary Hearing
	MISC	GABBY	Objection And Request For Damage Determination Hearing
	NOTC	GABBY	Notice Of Appearance
		GABBY	Filing: I1A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: Hopkins Roden Crockett Hansen Receipt number: 0020680 Dated: 06/11/2003 Amount: \$47.00 (Check)
	MOTN	GABBY	Motion For Expedited Hearing
	AFFD	GABBY	Affidavit Of Earl Hamblin
6/13/2003	MOTN	GABBY	Motion To Set Aside Default
	HRHD	PHYLLIS	Hearing result for Jury Trial held on 06/10/2003 10:00 AM: Hearing Held
6/16/2003	ORDR	GABBY	Order For Default
	ORDR	GABBY	Order
6/17/2003	MISC	GABBY	Minute Entry
6/18/2003	MOTN	PHYLLIS	P's Motion for Directed Verdict on all His Counts
	MISC	PHYLLIS	P's Jury Instruction s 5/1 - 5/6
	MISC	PHYLLIS	D's Supplemental Jury Instruction s
6/19/2003	MISC	PHYLLIS	Jury Instructions
	MISC	PHYLLIS	Special Verdict
6/25/2003	ANSW	PHYLLIS	D Earl Hamblin's Answer to P's First Amended Complaint
	AFFD	PHYLLIS	Second Affidavit of Earl Hamblin
	MISC	PHYLLIS	Brief in Support of Hamblin's Motion for Relief from Default
		PHYLLIS	Filing: I1B - Civil Answer Or Appear. More Than \$1000 With Prior Appearance Paid by: Hopkins Roden Receipt number: 0020826 Dated: 07/08/2003 Amount: \$14.00 (Check)
6/27/2003	NOTH	PHYLLIS	Notice Of Hearing
	ANSW	PHYLLIS	Verified Answer to First Amended Complaint
	MISC	PHYLLIS	Brief
	NOTH	PHYLLIS	Notice Of Hearing

Date	Code	User	Judge
7/1/2003	NOTH	PHYLLIS	Notice Of Hearing Motion to Set Aside Default and Motion to File Answer
	AFFD	PHYLLIS	Affidavit of Alva A. Harris
	ANSW	PHYLLIS	Verified Answer
	MISC	GABBY	Finding Of Fact And Conclusions Of Law
7/3/2003	MOTN	GABBY	John N. Bach's Notice Of Motions & Motions Re (1) Order Voiding/Invalidating Special Jury Verdict Of June 19, 2003 (2) For Judgment In Complete Favor Of Plaintiff & Counterclaim Defendant
7/8/2003	NOTC	PHYLLIS	Notice to Appear Telephonically
	MOTN	PHYLLIS	Motion for Writ of Assistance or Restitution and to Set Aside Prekliminary Injunction
	AFFD	PHYLLIS	Affidavit of Counsel in Support of Motion for Contempt
	MOTN	PHYLLIS	Motion for Contempt
	MISC	PHYLLIS	Miller's Election of Remedy
	ORDR	GABBY	Sixteenth Order On Pending Motions
7/9/2003	NOTC	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Notice Of Motion, Motion & affidavit For the Disqualification Of the Honorable Richard T. St. Claire
7/10/2003		PHYLLIS	Miscellaneous Payment: Failure to Appear for Jury Duty Paid by: Stephen Matkin Receipt number: 0020862 Dated: 07/10/2003 Amount: \$100.00 (Check)
	NOTC	GABBY	Notice Of Hearing
	MEMO	GABBY	Plaintiff's Memorandum Of Objections And Opposition To all Defendants Motions To Set Aside Entire Of Defaults, Etc., And Motion To Strike Any Answers Already Filed By Any Defendants In Default.
	MISC	PHYLLIS	Minute Entry
7/15/2003		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John Bach Receipt number: 0020909 Dated: 07/15/2003 Amount: \$3.00 (Cash) (Exhibits Defendant's G (admitted))
7/16/2003	AFFD	GABBY	Supplemental Affidavit Of John N. Bach, In Support Of His Motions, To Disqualify The Honorable Richard T. St. Clair, And All Other Motions Filed July 9, 2003 And July 3, 2003
7/17/2003	MISC	GABBY	Minute Entry
7/23/2003	HRSC	PHYLLIS	Hearing Scheduled (Motions 08/15/2003 01:00 PM)
	NOTC	GABBY	Amended Notice Of Hearing

Date	Code	User		Judge
7/25/2003	NOTC	GABBY	Notice To Vacate Hearing	Richard T. St. Clair
8/4/2003	MEMO	GABBY	Miller's Objection To Bach's Motion To Disqualify Judge Richard T. St. Clair And Memorandum In Support	Richard T. St. Clair
8/13/2003	MOTN	GABBY	Joinder In Miller's Objection To Bach's Motion To Disqualify Judge Richard T. St. Clair	Richard T. St. Clair
8/22/2003	MOTN	GABBY	Renew Motion For Summary Judgment	Richard T. St. Clair
	MOTN	GABBY	Brief In Support Of Renewed Motion For Summary Judgment	Richard T. St. Clair
	AFFD	GABBY	Affidavit Of Gale Woelk	Richard T. St. Clair
	AFFD	GABBY	Affidavit Of Alva Harris	Richard T. St. Clair
8/28/2003	ORDR	PHYLLIS	Seventeenth Order on Pending Motions	Richard T. St. Clair
8/29/2003	HRHD	GABBY	Hearing result for Motions held on 08/15/2003 01:00 PM: Hearing Held	Richard T. St. Clair
9/2/2003	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
	MOTN	GABBY	Plaintiff Ex Parte Motion For An Order Staying All Proceedings, Etc., For Twenty (20) Days To Allow Plaintiff To File Petition For Writ Of Mandate From Court's Post Jury Verdict Filings And Seventeenth Order On Pending Motions.	Richard T. St. Clair
	HRSC	PHYLLIS	Hearing Scheduled (Motions 09/25/2003 01:30 PM)	Richard T. St. Clair
9/5/2003	MISC	PHYLLIS	Miller's Objection to Bach's Ex-Parte Motion to Stay Proceedings	Richard T. St. Clair
9/6/2003	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
9/8/2003	MISC	PHYLLIS	Objection to Bach's Ex Parte Motion for Stay	Richard T. St. Clair
	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
	MISC	MAUREEN	Plaintiff's Renotice of Hearing	Richard T. St. Clair
	NOTH	PHYLLIS	P's ReNotice Of Hearing	Richard T. St. Clair
9/9/2003	ORDR	PHYLLIS	Eighteenth Order on Pending Motions	Richard T. St. Clair
9/10/2003	NOTC	GABBY	Second Notice Of Hearing	Richard T. St. Clair
	NOTH	PHYLLIS	Amended Notice Of Hearing	Richard T. St. Clair
	HRVC	PHYLLIS	Hearing result for Motions held on 09/25/2003 01:30 PM: Hearing Vacated	Richard T. St. Clair
9/11/2003	MOTN	PHYLLIS	Motion for Entry of Partial Judgment as to D Katherine Miller	Richard T. St. Clair
9/17/2003		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: MrBach Receipt number: 0021381 Dated: 09/17/2003 Amount: \$100.00 (Cash)	Richard T. St. Clair
9/25/2003	MISC	PHYLLIS	P's objection to Hearing	Richard T. St. Clair

Date	Code	User		Judge
9/29/2003	MISC	PHYLLIS	Reply in Support of Renewed Motion for Summary Judgment	Richard T. St. Clair
9/30/2003	MOTN	GABBY	Plaintiff's Objection And Motions To Strike Or Abate/Quash Defendants Gale Woelk, Individually & dba Runyan & Woelk	Richard T. St. Clair
10/1/2003	MEMO	PHYLLIS	D's Further Memorandum in Support of Motion	Richard T. St. Clair
10/7/2003	MEMO	PHYLLIS	P's Memorandum Re Objections & Opposition to D Miller's Current Motions	Richard T. St. Clair
	MEMO	PHYLLIS	P's Further Memorandum Brief & Initial Argument Re Election of Remedies Doctrine in Idaho	Richard T. St. Clair
	MEMO	PHYLLIS	P's Memorandum Brief of Objections and opposition to All D's Current Motions to Set Aside Default Entries	Richard T. St. Clair
10/10/2003	AFFD	PHYLLIS	Affidavit of Jason Scott in Support of Renewed Motion for Summary Judgment	Richard T. St. Clair
10/14/2003	MISC	PHYLLIS	Minute Entry	Richard T. St. Clair
10/23/2003	ORDR	PHYLLIS	Nineteenth Order of Pending Motions	Richard T. St. Clair
	JDMT	PHYLLIS	Judgment	Richard T. St. Clair
10/24/2003	HRSC	PHYLLIS	Hearing Scheduled (Court Trial 12/05/2003 09:00 AM)	Richard T. St. Clair
10/28/2003		GABBY	Miscellaneous Payment: For Certifying The Same Additional Fee For Certificate And Seal Paid by: Julie Receipt number: 0021706 Dated: 10/28/2003 Amount: \$1.00 (Cash)	Richard T. St. Clair
10/31/2003	MOTN	PHYLLIS	P's Motion for Order Certified Partial Judgment and Order to be Final for all Purposes of Filing Appeal from both Judgment and Order	Richard T. St. Clair
11/4/2003	MISC	PHYLLIS	Objection to Bach's and Motion for Order Certified Partial Judgment and Order of october 23, 2003, to be Final for All Purposes of Filing Appeal from both Judgment and Order	Richard T. St. Clair
11/5/2003		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John Bach Receipt number: 0021775 Dated: 11/05/2003 Amount: \$15.00 (Cash)	Richard T. St. Clair
11/6/2003		MAUREEN	Miller's partial objection to Bach's "Notice of Motion and Motion for Order certified partial Judgment and Order	Richard T. St. Clair
	NOTC	MAUREEN	plaintiff & counterclaim defendant notice of motions for reconsideration	Richard T. St. Clair
	AFFD	MAUREEN	Affidavit of John N. Bach	Richard T. St. Clair
11/10/2003	NOTS	PHYLLIS	Notice Of Service	Richard T. St. Clair
11/12/2003	MOTN	PHYLLIS	Motion for Court View of Property	Richard T. St. Clair

Date	Code	User	Judge
11/12/2003	MISC	PHYLLIS	Objection to Bach's Notice of Motion and Motion for Order Certified Partial Judgment and Order of October 12, 2003 to be Final for All Purposes of Filing Appeal from Both Said Judgment and Order
11/14/2003	NOTC	GABBY	NoticeOf Hearing On Plaintiff & Counterclaim Defendant John N. Bach's Motion For Order Certified Judgment
11/17/2003	MISC	GABBY	Disclaimer Of Interest
	MOTN	GABBY	Notice Of Motions & Motions Re: Orders For Complete Stay Of Execution Of Oct. 23, 2003 Judgment And Nineteenth Order
	NOTC	GABBY	Notice Of Recall Of Motion & Motion To Add/ Substitute, Mrs Stan Nickells For Her Deceased Husband As Defendant Herein Or Gregory Moeller Or John N. Bach
11/18/2003	NOTC	GABBY	Notice Of Motions And Motions For Orders Re: (1) To Disallow, Deny And/Or Strike Miller's Memo Of Costs
	MEMO	GABBY	Memorandum Of Objection And Opposition To Miller's Motion For Court View Of Property
11/20/2003	MISC	PHYLLIS	P's Supplemental Brief No. 1 in Support of his Motins filed November 6, 2003
11/21/2003	MOTN	GABBY	Motion To Enforce Liability Upon The Injunction Bond And To Release Bond To Miller
11/26/2003	MOTN	GABBY	Defendant Earl Hamblin's Motion For Summary Judgment
	NOTC	GABBY	Notice Of Service Of Plaintiff John N. Bach's Objections, Responses And answers To Defendant Galen Woelk's First Set Of Discovery Requests To Plaintiff
12/2/2003	MISC	PHYLLIS	Miller's Objection to Bach's Motion for Complete Stay of Execution
12/3/2003	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 21962 Dated 12/03/2003 for 500.00)
		GABBY	Filing: T - Civil Appeals To The Supreme Court Paid by: Bach, John Nicholas (plaintiff) Receipt number: 0021963 Dated: 12/3/2003 Amount: \$9.00 (Cash)
	MOTN	GABBY	Plaintiff & Counterclaim Defendant John N. Bach's Supplemental Brief No. #2, In Support Of His Motions Filed November 6, 2003
12/4/2003	NOTC	GABBY	Notice Of Objection To Bach's Nov. 6th Filings
12/5/2003	NOTH	PHYLLIS	Notice Of Hearing
		PHYLLIS	Brief In Support Of Defendant Earl Hamblin's Motion For summary Judgment
	AFFD	PHYLLIS	Affidavit Of Earl Hamblin In Support Of Motion For Summary Judgment

Date	Code	User	Judge
12/5/2003	HRHD	GABBY	Hearing result for Court Trial held on 12/05/2003 09:00 AM: Hearing Held
12/8/2003	MOTN	GABBY	Motion To Shorten Time For Filing A Summary Judgment Motion Or In The Alternative, Motion For Continuance
	MOTN	GABBY	Defendant Estate Of Stan Nickell's Motion For Summary Judgment
12/12/2003	MISC	PHYLLIS	Brief in Support of Nickell's Motion for Summary Judgment
	AFFD	PHYLLIS	Affidavit of Patricia Koplow
	AFFD	PHYLLIS	Affidavit of Arlene Nickell
	AFFD	PHYLLIS	Affidavit of John Letham
	NOTH	PHYLLIS	Notice Of Hearing (01-09-04 at 10:00 in Bonneville County)
12/15/2003	MISC	PHYLLIS	Request for Pre-Trial Conference
	NOTH	PHYLLIS	Notice Of Hearing
12/17/2003	MEMO	PHYLLIS	Memorandum of Points and Law in Support of Miller's Objection to Bach's Claim of Restitution
	NOTC	PHYLLIS	Notice of Taking Deposition of John Bach
	NOTS	PHYLLIS	Notice Of Service of Discovery
12/19/2003	MEMO	GABBY	Plaintiff & Counterclaim Defendant Memorandum Brief In Support Of An Award And Judgment OF \$508,000.00
12/22/2003	MEMO	GABBY	Palintiff Memorandum Brief For Complete Judgment Of Quieting Completely In Favor Of Plaintiff On second Count & Fourth Counts Against Defendant Wayne Dawson & Terminating All Rights Of Dawson To All Real Properties In Said Counts
	NOTC	GABBY	Notice Of Service Of Discovery
	MISC	GABBY	Post Hearing Brief
12/23/2003	NOTC	GABBY	Notice Of Service
	NOTC	GABBY	Notice Of Taking Deposition Of John N. Bach
	MISC	GABBY	Objection To Request For Discovery By Defendants Hill
	NOTC	GABBY	Notice Of Service Of Responses To Dicoverly Requests
	MISC	GABBY	Additional Findings Of Fact And Conclusion Of Law
12/24/2003	MISC	PHYLLIS	Clerk's Rec. & Trans/Due Dates Supsended
12/30/2003	NOTC	GABBY	Notice Of Service Of Responses To Discovery Requests
	DISC	GABBY	Objection To Request For Discovery By Defendant Hill

Date	Code	User		Judge
12/30/2003	NOTC	GABBY	Amended Notice Of Hearing (01/16/2004 9:00 am/Bonneville)	Richard T. St. Clair
	NOTC	PHYLLIS	P's Re-Notice of Hearing	Richard T. St. Clair
12/31/2003	NOTS	PHYLLIS	Notice Of Service	Richard T. St. Clair
	MOTN	GABBY	Notice Of Motion's & Motions Re: (1) Order To Amended Or Add To Partial Judgment (2) Motions Of Nov. 17, 2003 (3) Order To Certify For All Purpose Of Appeal The Original Partial Judgment And/Or As Further Amended Or Modified, As Including All Orders Findings.	Richard T. St. Clair
1/5/2004	MOTN	GABBY	Miller's Motion For Reconsideration And Alternative Motion To Prove Rental Value Of Property	Richard T. St. Clair
	MOTN	PHYLLIS	Motion to Compel	Richard T. St. Clair
	MISC	PHYLLIS	Brief in Support of Motion to Compel	Richard T. St. Clair
	AFFD	PHYLLIS	Affidavit of Jason D Scott	Richard T. St. Clair
	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
	MOTN	GABBY	Miller's Motion For continuance Of January 16th, 2004 Motion Hearing	Richard T. St. Clair
	JDMT	GABBY	Default Judgment Against Wayne Dawson	Richard T. St. Clair
	JDMT	GABBY	John Nicholas Bach, Plaintiff vs Wayne Dawson, Defendant: Judgment	Richard T. St. Clair
	CSCP	PHYLLIS	Case Status Closed But Pending: closed pending clerk action	Richard T. St. Clair
1/6/2004	MOTN	GABBY	Miller's Motion For: 1) Amendment To Additional Findings Of Fact And conclusions Of Law. 2) Motion To Clarify 3) Motion For Post-Judgment Rent Notice Of Hearing	Richard T. St. Clair
	NOTC	GABBY	Notice Of Hearing	Richard T. St. Clair
	ORDR	GABBY	Twentieth Order On Pending Motions	Richard T. St. Clair
1/7/2004	HRSC	GABBY	Hearing Scheduled (Motions 02/03/2004 09:30 AM)	Richard T. St. Clair
	MOTN	GABBY	Notice Of Motion & Motion Re: 1) Order striking All Answers & Denials Of Defendants Bret & Deena R. Hill 2) Order Recluiding Any Evidence Being Offered Or Admitted By The Hills, Even As To Damages 3) Order To Answer Unequivocally & Without Evasions Plaintiff's No. 1 Discovery Set To Said Defendants, Etc.....	Richard T. St. Clair
1/9/2004	NOTC	PHYLLIS	P's Notice of Motion to Compel	Richard T. St. Clair
	MOTN	PHYLLIS	P's Ex Parte Motion for Order	Richard T. St. Clair
	MEMO	PHYLLIS	P's Documents and Memorandum in Support of His Motions	Richard T. St. Clair

Date	Code	User		Judge
1/12/2004	MISC	GABBY	Plaintiff's & Appellant's Amended Notice Of Appeal, Per Idaho Supreme Court's Order Re: Final Judgment Of December 22, 2003	Richard T. St. Clair
1/13/2004	MISC	GABBY	Defendant, Earl Hamblin's Witness List	Richard T. St. Clair
	MISC	GABBY	Defendant, Earl Hamblin's Exhibit List	Richard T. St. Clair
	MISC	GABBY	Defendant, Earl Hamblin's Proposed Jury Instructions And Special Verdict Form	Richard T. St. Clair
	NOTC	GABBY	Notice Of Appearance	Richard T. St. Clair
	MISC	GABBY	Pre-Trial Statement	Richard T. St. Clair
	MISC	GABBY	Trial Brief	Richard T. St. Clair
	MISC	GABBY	Witness List	Richard T. St. Clair
	MISC	GABBY	Exhibit List	Richard T. St. Clair
	MISC	GABBY	Proposed Jury Instructions And Verdict Form	Richard T. St. Clair
	STIP	GABBY	Stipulation For Substitution Of Counsel	Richard T. St. Clair
1/15/2004	MISC	PHYLLIS	P's Opposition and Refutations to D Woelk's et.al. Motions to Compel Further Answers to Discovery Set Served on P and for Costs	Richard T. St. Clair
	MISC	PHYLLIS	P's Pre-Trial Statement of Objections and Requests per IRCP Rule 16	Richard T. St. Clair
	NOTC	GABBY	Notice Of Hearing	Richard T. St. Clair
	MOTN	GABBY	Motion For Order To Shorten Time	Richard T. St. Clair
	MOTN	GABBY	Motion To Bifurcate And Objection To Jury Trial	Richard T. St. Clair
	MOTN	GABBY	Motion To Enlarge Time And For Withdrawal Of Admission	Richard T. St. Clair
	NOTC	GABBY	Notice Of Compliance	Richard T. St. Clair
	MISC	GABBY	Defendants Bret & Deena R. Hill's Supplemental Response To Plaintiff's No. 1 Discovery Set Of Request To Defendants Bret Hill & Deena Hill	Richard T. St. Clair
1/16/2004	ORDR	GABBY	Twenty First Order On Pending Motions	Richard T. St. Clair
	MINE	GABBY	Minute Entry	Richard T. St. Clair
1/20/2004	AFFD	PHYLLIS	Affidavit of P In Opposition to D Hamblin's and Nickell's Motions for Summary Judgment	Richard T. St. Clair
	NOTC	PHYLLIS	Notice of Motions Re: Order for Amended Judhgment of Default (2) Order entering Different and Additional Damages (3) Order for Immediate Writ of Possession, Assistance of Execution or Execution	Richard T. St. Clair
1/21/2004	NOTC	GABBY	Notice Of Hearing	Richard T. St. Clair
1/22/2004	ORDR	GABBY	Order Suspending Appeal	Richard T. St. Clair
1/27/2004	NOTC	GABBY	NoticeOf Hearing	Richard T. St. Clair
1/28/2004	NOTC	PHYLLIS	P's Notice of Motion to Amend his First Amended Complaint	Richard T. St. Clair

Date	Code	User		Judge
1/28/2004	NOTC	PHYLLIS	P's Renotice of Hearing of His January 7 Filed MOtions re (1) Order Striking all Answers and Denials of Brett and Deena R Hill; (2) Order precluding any Evidence Being Offered by Hills Even as to Damages	Richard T. St. Clair
	NOTC	PHYLLIS	P's Renotice for Hearing Feb 3, 2004	Richard T. St. Clair
1/29/2004	NOTS	PHYLLIS	Notice Of Service	Richard T. St. Clair
2/2/2004	MISC	PHYLLIS	Objection to Hearing	Richard T. St. Clair
2/3/2004	MEMO	MAUREEN	Memorandum of Objections	Richard T. St. Clair
	MEMO	MAUREEN	Memorandum RE: P 3 Motions filed & Amendment to Judgement of Default	Richard T. St. Clair
	MISC	MAUREEN	P & Counterclaim D Memorandum of Objections & Opposition	Richard T. St. Clair
	MEMO	MAUREEN	P Further Memorandum RE Opposition to D Motion for attorney fees	Richard T. St. Clair
	AFFD	MAUREEN	Affidavit of John N Bach Re: Testimony of Damages to be admitted	Richard T. St. Clair
	MISC	MAUREEN	Request for Hearing on D Hill's Motion for Summary Judgment	Richard T. St. Clair
	MOTN	MAUREEN	Motion for Summary Judgment	Richard T. St. Clair
	MEMO	MAUREEN	Memorandum in Support of Motion for Summary Judgment	Richard T. St. Clair
	AFFD	MAUREEN	Affidavit of Jared M Harris in Support of Motion for Summary Judgment	Richard T. St. Clair
	AFFD	MAUREEN	Affidavit of Deena R. Hill in Support of Motion for Summary Judgment	Richard T. St. Clair
	AFFD	MAUREEN	Affidavit of Bret Hill in Support of Motion for Summary Judgment	Richard T. St. Clair
	INHD	PHYLLIS	Hearing result for Motions held on 02/03/2004 09:30 AM: Interim Hearing Held	Richard T. St. Clair
2/6/2004	MEMO	PHYLLIS	P's Supplemental Memorandum	Richard T. St. Clair
	MEMO	PHYLLIS	P's Supplemental Memorandum	Richard T. St. Clair
2/10/2004	MISC	GABBY	Post Evidentiary Hearing Brief	Richard T. St. Clair
2/11/2004	MOTN	GABBY	Motion Re (1) Protective Order Staying/Abating All Discovery By Defendants Hill, Until They Have Complied Fully With Plaintiff's No. 1, Discovery Set & Until Plaintiff's Motions Re Hills' Default Entries.	Richard T. St. Clair
	MOTN	GABBY	Objections And Notice Of Accompanying Motions For Protective Discovery Orders	Richard T. St. Clair
	MOTN	GABBY	Objections and Motions To Strike Post Evidentary Hearing Brief	Richard T. St. Clair

Date	Code	User	Judge
2/11/2004	NOTC	GABBY	Renotice Of Calling Up For Hearing All His Earlier And Most Recently Filed Motions Which Were Or Could Not Be Heard Feb. 3, 2004, And Are Not Set For Hearing On Feb. 19, 2004 @ 10 a.m. Bonneville Courthouse
	NOTC	GABBY	Notice Of Taking Dispositions Of Defendants Estate Of Stan Nickell's Representatives, Arlene E. Nickells & Patricia Kopplow, Feb. 26, 2004 @ 9 a.m. & 11 a.m.
2/12/2004	ORDR	PHYLLIS	Twenty Second Order on Pending Motions
2/17/2004	MEMO	GABBY	Plaintiff's Memorandum In Support Of His Jan 20, 2004 Motions
	NOTC	GABBY	Plaintiff's Notice Of Motion And Motion Re: Order Confirming That He Has Already Plead/Asserted Properly Punitive Damages
2/19/2004		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John Bach Receipt number: 0022400 Dated: 2/19/2004 Amount: \$9.00 (Cash)
	NOTC	GABBY	Notice Of Motions & Motions Re Orders (1) To Strike, Vacate Or Amend Portions Of Twenty Second Order.....
2/23/2004	MISC	PHYLLIS	Minute Entry
	JDMT	PHYLLIS	Amended Default Judgment Against Wayne Dawson
	ORDR	PHYLLIS	Twenty-Third Order on Pending Motion
2/24/2004	NOTC	GABBY	Notice To Appear Telephonically
	NOTC	GABBY	Renotice Of Dispositions To Be Taken By Court Orders Of Feb. 19, 2004
2/26/2004	MOTN	GABBY	Objection To Bach's Motions Re: Punitive Damages And Motion To Dismiss Claims For Punitive Damage
2/27/2004	MOTN	GABBY	Objection To Bach's Motions Re: Punitive Damages And Motion To Dismiss Claims For Punitive Damages
	JDMT	GABBY	Default Judgment Against Alva Harris, Scona, Inc., Bob Fitzgerald, Ole Olesen, and Blake Lyle
3/2/2004	MOTN	GABBY	Objection To Bach's Motions
			Objection To Bach's Motions Re: Punitive Damages And Motion To Dismiss Claims For Punitive Damages
			motn
	ORDR	GABBY	Twenty Fourth Order On Pending Motions

Date	Code	User	Judge
3/2/2004	AFFD	GABBY	John N. Bach's Affidavit Per IRCP, Rule 56 (f) To Stay Any Hearing Or Action To Consider Granting Defendants Bret & Deena R. Hill's Motion For Summary Judgment Until Plaintiff Has His Further Motions For Discovery Sanctions Against Said Defendants Hill Heard
3/3/2004		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John Bach Receipt number: 0022486 Dated: 3/3/2004 Amount: \$4.00 (Cash)
	MEMO	GABBY	John N. Bach's Further Memorandum Brief In Support Of His Motions To Strike
	NOTC	GABBY	Notice Of Compliance
	MISC	GABBY	Objection To Bach's Motion Re: Punitive Damages
3/4/2004	MISC	GABBY	Defendant Earl Hamblin's Objection To Plaintiff's Motion Regarding Punitive Damages
3/5/2004	NOTC	PHYLLIS	Notice to Appear Telephonically
	MISC	PHYLLIS	Objection to Motion for Punitive Damages
	NOTH	PHYLLIS	Amended Notice Of Hearing
	MOTN	PHYLLIS	Motion for Order Shortening Time
	MOTN	PHYLLIS	Motion to Compel
	MOTN	PHYLLIS	Motion to have Admission Deemed Admitted
	MOTN	PHYLLIS	Motion to Strike
	MISC	PHYLLIS	Reply Brief in Support of Motion for SUMmary Judgemnt
	AFFD	PHYLLIS	Affidavit of Jarad Harris in Support of Motion to Compel
	NOTH	PHYLLIS	Notice Of Hearing
3/8/2004	AFFD	PHYLLIS	Affidavit of Jana Siepert in Support of Motion to Compel
	MISC	PHYLLIS	Disclaimer of Interest i Certain Real Property and Motion to Dismiss
	NOTH	PHYLLIS	Notice Of Hearing
3/11/2004	MOTN	GABBY	Defendant Earl Hamblin's Motion For Attorney Fees And Costs
	AFFD	GABBY	Affidavit Of David H. Shipman In Support Of An Award Of Attorney Fees
	MEMO	GABBY	Memorandum Of Costs
	MEMO	GABBY	Plaintiff John N. Bach's Further Memorandum Brief Re: Objections & Opposition To defendants Hills' motion For Summary Judgment

Date	Code	User		Judge
3/11/2004	NOTC	GABBY	Plaintidd John N. Bach's Notice Of Motions And Motions Re (1) Reconsideration Of Court's Previous Order Re Hls Answering Defendants Hill's Discovery Set	Richard T. St. Clair
3/12/2004	MOTN	GABBY	Miller's Objection To "Bach's Motion To Strike, Vacate Or Amend Portions Of The Twenty-Second Order"	Richard T. St. Clair
3/15/2004	MEMO	PHYLLIS	P's Memorandum Brief Re Objections and Opposition to Ds' Hill's Motion to Compel...	Richard T. St. Clair
	NOTC	PHYLLIS	P's Notice of Motions and Motions (3)	Richard T. St. Clair
	MEMO	PHYLLIS	P's Additional Replying Memorandum Brief in Opposition to D Hills' Motion for Summary Judgment and in Support of P's Application/Motions to Stay Hearing of Hills' Summary Judgment Motion and to Grant P's Motions for Issuing of Ultimate Discovery Sanctions - Entries of Default against D Hills' etc.	Richard T. St. Clair
	MISC	PHYLLIS	Signature Page of Affidavit of Jana Siepert	Richard T. St. Clair
	MISC	PHYLLIS	Objection to Further Memorandum Brief and Motion to Strike	Richard T. St. Clair
3/16/2004	ORDR	GABBY	Twenty Fifth Order On Pending Motions	Richard T. St. Clair
3/17/2004	NOTC	GABBY	Notice Of Hearing Of His Motions Filed March 15, 2004 and His Notice Of Motion For full Reconsideration Of The Entire Twenty-Fourth Order	Richard T. St. Clair
	MOTN	GABBY	Bach's Reply Brief To Miller's Objections To Bach's Motion(s) To Strike, Vacate Or Amend Portions Of Twenty-Second Order	Richard T. St. Clair
3/18/2004	ORDR	GABBY	Order	Richard T. St. Clair
3/22/2004	MISC	GABBY	Minute Entry	Richard T. St. Clair
	ORDR	GABBY	Order on Various Motions Heard on March 16, 2004	Richard T. St. Clair
3/23/2004	MOTN	GABBY	Defendant Earl Hamblin's Disclaimer Of Interest in Certain Real Property And Motion To Dismiss	Richard T. St. Clair
	NOTC	GABBY	Notice Of Hearing	Richard T. St. Clair
	MOTN	GABBY	Motion For Expedited Hearing	Richard T. St. Clair
3/24/2004	NOTH	GABBY	Notice Of Hearing	Richard T. St. Clair
	MISC	GABBY	P's Responsens, Repliesm and Compliance with "Order on Various Motions"	Richard T. St. Clair
	NOTC	GABBY	Notice to Appear Telephonically	Richard T. St. Clair
	MISC	GABBY	Miller's Objection to Bach's Motions Filed March 16 and Miller's Motion for Rule 11 (a)(1) Sanctions Against John Bach	Richard T. St. Clair
	MOTN	GABBY	defendant Earl Hamblin's Brief In Support Of His Motion For Attorney Fees And Costs	Richard T. St. Clair

Date	Code	User		Judge
3/25/2004	NOTC	GABBY	Notice Of Hearing	Richard T. St. Clair
	MISC	GABBY	Note Of Issue And Request For Trial Setting	Richard T. St. Clair
	MISC	GABBY	Note Of Issue And request For Trial Setting	Richard T. St. Clair
3/26/2004	RPNS	GABBY	Defendant's Galen Woelk's Supplemental Responses To Plaintiff's First Set Of Discovery Request Discovery Filed	Richard T. St. Clair
	NOTC	GABBY	Notice Of Service	Richard T. St. Clair
3/29/2004	MISC	PHYLLIS	Objection to Motions filed March 15 and 16	Richard T. St. Clair
	MOTN	PHYLLIS	Motion in Limine Regarding Witnesses and Documents and Notice of Hearing	Richard T. St. Clair
	MOTN	PHYLLIS	Motion for Order Shortening Time	Richard T. St. Clair
	MOTN	PHYLLIS	Motion in Limine Regarding Calling Judge St. Clair and Jared Harris and Notice of Hearing	Richard T. St. Clair
3/30/2004	MOTN	GABBY	Defendant Earl Hamblin's Objection To Plaintiff's Motion For Rconsideration Of The Court's Twenty Fourth Order On Pending Motions	Richard T. St. Clair
3/31/2004	MOTN	GABBY	Objection To Plaintiff's Motion For reconsideration Of The Court's Twenty-Fourth Order On Pending Motions By Defendant, Estate Of Stan Nickell	Richard T. St. Clair
4/1/2004	MOTN	GABBY	Objection To Plaintiff's Motion For Reconsideration Of The Court's Twenty-Fourth Order On Pending Motions By Defendant, Estate Of Stan Nickell	Richard T. St. Clair
	MISC	GABBY	Supplemental trial Brief	Richard T. St. Clair
	MISC	GABBY	Amended Exhibit List	Richard T. St. Clair
	MOTN	PHYLLIS	P's Motion to Strike Hamblin's Memo and P's Objecitons, and opposition to All Requests/Motions or Submitted Memorandum of costs by D Hamblin	Richard T. St. Clair
	MOTN	PHYLLIS	D's Motion to Strike P McLeans 1) Objections to D/s Motions 2) NORT 3) Affidavit of Counsel and Answer of Counterclaim Defendants	Richard T. St. Clair
	MISC	PHYLLIS	D's Objections & Motion to Strike	Richard T. St. Clair
	MISC	PHYLLIS	D's Objections and Motion to Strike	Richard T. St. Clair
	MISC	PHYLLIS	D's Objections to and Motion to Strike Alva Harris' Objections to Motions and to Strike his Affidavit of Counsel	Richard T. St. Clair
	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 22686 Dated 04/01/2004 for 32164.00)	Richard T. St. Clair
	WRIT	PHYLLIS	Writ Issued	Richard T. St. Clair
4/6/2004	MOTN	PHYLLIS	P's MOTion to Continue Trial	Richard T. St. Clair
	ORDR	PHYLLIS	Order Shortening Time for Service	Richard T. St. Clair

Date	Code	User	Judge
4/8/2004	MOTN	GABBY	Plaintiff John N. Bach's Additional Motion, Re Order Vacating All Filing/Motions' Deadlines Until After Plaintiff's Motions For Trial Continuance Re Health Complications Is Heard
4/9/2004	MISC	GABBY	Minute Entry
	MOTN	GABBY	Objection To And Motion To Vacate Bach's Notice Of Motions Scheduled for April 12, 2004
	MISC	GABBY	Amended To First Amended Complaint, Adding Thirteenth Count Re. Punitive Damages Against Defendants Galen Woelk, Individually & DBA Runyan & Woelk
	MOTN	GABBY	Motion To Continue Trial Of April 20, 2004, For At Least Four (4) Months Due To Plaintiff's Health Complications; And For Order Shortening Time To Hear Motion To Continue To Two (2) Days Before Hearing date Set.
	MOTN	GABBY	Additional Motion, Re: Order Vacating All Filing/Motions' Deadlines Until After Plaintiff's Motion For Trial Continuance Re: Health Complications Is Heard
	NOTC	GABBY	Notice Of Hearing On Plaintiff John N. Bach's Motion Re: To Continue Trial Date Of April 20, 2004 For At Least Four (4) Months, & Motion Re: Order Vacating All Filing/Motions Deadlines
	MOTN	GABBY	Notice Of Motions & Motions By Plaintiff John N. Bach Re: Orders Re: Quashing, Striking And /Or Vacating writ Of Assistance Of April 1, 2004; (2) Return Of Possession Of All 87 Acres @ MP 138 To Plaintiff John N. Bach; And/Or (3) Granting Of Plaintiff At Least Twenty-One (21) Days From Ruling, Decision On Motions Number (1) & (2) To Remove His Personalty From Plus Acres; And (4) For Immedite Stay Order Re Writ Of Assistance Until Motions (1), (2), & (3) Heard & Decided.
4/12/2004	NOTC	PHYLLIS	Notice to Appear Telephonically
4/13/2004	ORDR	GABBY	Order Staying All Execution Efforts, Etc. To Remove Plaintiff And/Or His Animals And Personal Properties From Those 87 Acres/MP 138, And Setting Hearing On Plaintiff's Motions 1,2,3 Hearing On April 27, 2004 at 9 am in Bonneville County Courthouse
	MOTN	PHYLLIS	Miller's Ex-Parte Motion for Limiting Orders During Stay
4/14/2004	ORDR	GABBY	Order Amending Stay Entered April 13, 2004
4/15/2004	MISC	GABBY	Objection To John N Bach's Amendment To First Amended Complaint
4/19/2004	MISC	PHYLLIS	Minute Entry

Date	Code	User		Judge
4/19/2004	PRT0	PHYLLIS	Pre-trial Order	Richard T. St. Clair
4/20/2004	MOTN	PHYLLIS	Motion to strike or to Dismiss Thirteenth Count	Richard T. St. Clair
	MISC	PHYLLIS	Brief in Support of Motion	Richard T. St. Clair
	NOTC	PHYLLIS	O's Notice of Motion and Motions Re 1) Order Striking Entire Answer of Hills; 2) Cpmplete Preclusion of Evidence by Hills; 3) Entry of their unqualified ADmissions that p is the Sole Exclusive and Rightful Owner of 195 N. Hwy 33	Richard T. St. Clair
	AFFD	PHYLLIS	Further Affidavit in Support of Current Motions to 1) Strike Entire Answer of D Hill and/or Preclude Evidence by Them Alternatively in Opposition to Ds' Hills' Motion for Summary Judgment	Richard T. St. Clair
4/21/2004	NOTC	PHYLLIS	P's Notice and Advisement to Court and Counsel That Alva Harris has not filed and Petition for Dministration or Appointment of Personal Representative of Estate of jack Lee McLean and P's Request that All this Motions Argued on April 2, 2004 be Forthwith Granted	Richard T. St. Clair
	ORDR	GABBY	Twenty Sixth Order On Pending Motions	Richard T. St. Clair
	ORDR	GABBY	Twenty Seventh Order On Pending Motions	Richard T. St. Clair
4/26/2004	MISC	PHYLLIS	Disclaimer of Interest in Certain Real Property	Richard T. St. Clair
	MISC	MAUREEN	Miller's objection to Bach's April 9 motions and request for re-issuance of Writ of Assistance	Richard T. St. Clair
5/3/2004	MISC	PHYLLIS	P's Reply Memorandum Brief to Miller's Objection to Bach's Motions	Richard T. St. Clair
5/6/2004	ORDR	GABBY	Twenty Eight Order On Pending Motions	Richard T. St. Clair
5/9/2004	MISC	GABBY	Minute Entry	Richard T. St. Clair
5/21/2004	MEMO	GABBY	Memorandum Of Costs And Fees	Richard T. St. Clair
	NOTC	PHYLLIS	Notice of Change of Address	Richard T. St. Clair
	MOTN	PHYLLIS	Motion for SUMmary Judgment	Richard T. St. Clair
	MISC	PHYLLIS	Brief in Support of Motion for Summary Judgement of Fifth Count	Richard T. St. Clair
	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
	AFFD	PHYLLIS	Affidavit of Jason D. Scott	Richard T. St. Clair
5/24/2004	MOTN	GABBY	Miller's Objection To Bach's Ex Parte Motion For Amendment To Twenty Eighth Order, And Affidavit Of Counsel	Richard T. St. Clair
	MOTN	PHYLLIS	P's Ex Parte Motion to Modify and Extend Time of Additional Ten Days toe Remove his Personal Property	Richard T. St. Clair
5/25/2004	MEMO	GABBY	Plaintiff Bach's Reply Memorandum To Miller's Objection To BAch's Ex Parte Motion, etc., And Motion to Strike GAlen Woelk's Affidavit Of Nonadmissible Hysterical Statements Of Nonfact, And Solely Contrived And Manufactured Deceptions	Richard T. St. Clair

Date	Code	User	Judge
3/3/2004	MEMO	GABBY	Plaintiff's Supplemental Memorandum Re Ex Parte Motion For Extension Of Additional Ten (10) Days Through June 13, 2004 To Remove His personal Properties
3/6/2004	ORDR	GABBY	Twenty Ninth Order On Pending Motions
6/11/2004	AFFD	PHYLLIS	P's Affidavit and Memorandum Brief in opposing Woelk's Motion for Summary Judgment
6/17/2004	MISC	PHYLLIS	Reply in Support of Motion for Summary Judgment on Fifteh Count
	MISC	PHYLLIS	Amended Witness List
6/21/2004	NOTC	PHYLLIS	P's Notice of Motions for Order Reconsidering Twenty-Eighth Order of the Court (2) After Reconsidering for Entering New Orders Granting P's Motions...(3) For Hearing on Default Judgment
6/22/2004	MISC	PHYLLIS	P's Exhibit List of Documents and Materials, etc. he may offer herein...
	MISC	PHYLLIS	P's Further Witness List Expanding his Earlier Witness Lists Filed Herein
6/24/2004	JDMT	GABBY	Judgment Against Defendants Bret Hill And Deena R. Hill.....
6/29/2004	NOTC	PHYLLIS	P's Notice of Calling up for Hearing His MOtion
6/30/2004	MISC	GABBY	Minute Entry
7/1/2004	MOTN	PHYLLIS	Motion to Continue
7/6/2004	NOTC	GABBY	Notice Of Substitution Of Attorney
7/9/2004	NOTC	GABBY	Notice To Appear Telephonically
7/12/2004	MEMO	PHYLLIS	P's Further Memorandum Brief in Support of his Motions
	NOTC	PHYLLIS	Notice of Motion for COntinuance of Jury Trial
7/13/2004	MISC	GABBY	Objection To Filing Filed June 17, 2004 By Plaintiff
	MOTN	GABBY	Motion To Dismiss
	NOTC	GABBY	Notice Of Hearing
	MOTN	GABBY	Motion For Order To Shorten Time Notice Of Hearing
7/14/2004	MOTN	GABBY	Notice Of Motion & Motion For Reconsideration Of Denial Of His Motion Argued July 13, 2004 For Continuance Of Trial
	ORDR	GABBY	Thirtieth Order On Pending Motions
7/15/2004	MISC	GABBY	Proof Of Service
7/21/2004	MISC	GABBY	Minute Entry
8/5/2004	NOTC	GABBY	Notice Of Substitution Of Attorney
	NOTC	GABBY	Notice Of Hearing

Date	Code	User		Judge
3/16/2004	AFFD	PHYLLIS	Affidavit in Opposition to Woelk's Motion for Summary Judgment	Richard T. St. Clair
3/18/2004	HRSC	GABBY	Hearing Scheduled (Motions 09/10/2004 02:00 PM)	Richard T. St. Clair
	ORDR	PHYLLIS	Thirty First Order on Pending Motions	Richard T. St. Clair
3/23/2004	NOTC	PHYLLIS	Notice of MOTions for Entry of Default Judgment	Richard T. St. Clair
	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
8/25/2004	MISC	PHYLLIS	Reply in Support of Motion for Summary Judgment on Remaining Claims	Richard T. St. Clair
8/31/2004	MISC	GABBY	Objection To Filing Dated August 20, 2004 By Plaintiff	Richard T. St. Clair
9/3/2004	MEMO	PHYLLIS	P's Memorandum re Court's Inquiry of Effect of Discharge in Bankruptcy of Debtors Property Not Utilized by Trustee for Creditors	Richard T. St. Clair
9/7/2004	MISC	GABBY	Minute Entry	Richard T. St. Clair
9/10/2004	MEMO	PHYLLIS	Memorandum in Support Judgment of Default against Jack Lee McLean	Richard T. St. Clair
	MOTN	PHYLLIS	Motion to Reconsider and to Modify Damage Award Contained in Default Judgment Entered February 27,2004	Richard T. St. Clair
	HRHD	PHYLLIS	Hearing result for Motions held on 09/10/2004 02:00 PM: Hearing Held	Richard T. St. Clair
9/21/2004	ORDR	GABBY	Thirty Second Order On Pending Motions	Richard T. St. Clair
	JDMT	GABBY	Default Judgment Against Lynn McLean, As Personal Representative Of The Estate Of Jack Lee McLean	Richard T. St. Clair
9/23/2004	AFFD	GABBY	Affidavit	Richard T. St. Clair
	AFFD	GABBY	Affidavit	Richard T. St. Clair
10/5/2004	NOTC	PHYLLIS	P's Notice of Motion Re: Recnsideration of Default Judgment Terms and Entry of Different Deafult Judgment against Jack McLean and his Estate Especially Quieting Title and Ownership of McLean to P in Peacock and Drawknife Properties Plus Full Permanent Injunction, etc.	Richard T. St. Clair
10/19/2004	NOTC	PHYLLIS	P's Notice of Motions and motions Re 1) Hearing on all P's Motions filed since September 27, 2004 2) For Order Striking Quashing or Denying D's Motion to Amend/Modify; 2) for Order Amending Issues and 4) for ORder Granting P Leave to Amend and Add Claims against D's Woelk, Runyan and thier Law Firm	Richard T. St. Clair
11/5/2004	MISC	GABBY	Plaintiff John N. Bach's Submission Of Documentary Evidence In Further Support Of His Motions Number (1) & (2), Filed Oct. 5, 2004 & Argued Nov. 4, 2004 @ 9:15 a.m. Before Judge St. Clair	Richard T. St. Clair
11/9/2004	MISC	GABBY	Minute Entry	Richard T. St. Clair

Date	Code	User	Judge
11/16/2004	MOTN	GABBY	Motion For Summary Judgment Based On Res Judicata
	MOTN	GABBY	Brief In Support Of Motion For Summary Judgment Based On Res Judicata
	AFFD	GABBY	Affidavit Of Jason D. Scott
11/24/2004	NOTC	GABBY	Notice Of Hearing
11/30/2004	ORDR	PHYLLIS	Thirty-Third Order on Pending Motions
12/7/2004	NOTC	PHYLLIS	P's ReNotice of His Earlier Filed Motions
12/8/2004	MISC	GABBY	Plaintiff's John N. Bach's Objection & Opposition Brief To Defendant Galen Woelk's & His Law Firm's Motion For Summary Judgment Re Res Judicata; And Plaintiff's Motion For Sanctions
12/10/2004	ORDR	GABBY	Thirty Fourth Order On Pending Motions
12/22/2004		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Bach Receipt number: 0024742 Dated: 12/22/2004 Amount: \$16.00 (Cash)
12/30/2004		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Hawley Trocell Ennis & Hawley Receipt number: 0024787 Dated: 12/30/2004 Amount: \$250.00 (Check)
		GABBY	Miscellaneous Payment: For Certifying The Same Additional Fee For Certificate And Seal Paid by: Hawley Trocell Ennis & Hawley Receipt number: 0024787 Dated: 12/30/2004 Amount: \$18.00 (Check)
1/3/2005	ORDR	PHYLLIS	Order Dismissing Appeal
	MOTN	GABBY	Motion To Compel
	MOTN	GABBY	Brief In Support Of Motion To Compel
	AFFD	GABBY	AffidavitOf Jason D. Scott
1/4/2005		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Hawley Troxell Receipt number: 0024813 Dated: 1/4/2005 Amount: \$100.00 (Check)
1/5/2005		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John N. Bach Receipt number: 0024825 Dated: 1/5/2005 Amount: \$6.00 (Cash) colored copies of pictures entered as exhibitson 11/26/02 exhibit #24a, 24b, 24c, 24d, 24e, 24f gh
		GABBY	Miscellaneous Payment: Personal Copy Fee Paid by: John N. Bach Receipt number: 0024825 Dated: 1/5/2005 Amount: \$10.00 (Cash) Copies of 2 tapes brought by Mr. Bach. Bach's Comment(Court reported sent him this tapes but were on high speed).gh

Date	Code	User		Judge
1/12/2005	AFFD	PHYLLIS	P's Further Affidavit re Issuance of Proposed Permanent Injunction	Richard T. St. Clair
1/13/2005	AFFD	GABBY	Affidavit Of Jason D Scott	Richard T. St. Clair
	MISC	GABBY	Brief In Support Of Motion To Amend Answer	Richard T. St. Clair
	MOTN	GABBY	Motion To Amend Answer	Richard T. St. Clair
	ANSW	GABBY	Amended Answer And Demand For Jury Trial	Richard T. St. Clair
	AFFD	GABBY	Supplemental Affidavit No. 1 To Plaintiffs' Further Affidavit Re Issuance Pf Permanent Injunction, Etc.	Richard T. St. Clair
1/20/2005	MISC	PHYLLIS	Witness List	Richard T. St. Clair
	MISC	PHYLLIS	Exhibit List	Richard T. St. Clair
	MISC	PHYLLIS	Proposed Jury Instructions and Verdict Form	Richard T. St. Clair
	STIP	PHYLLIS	Pre-Trial Stipulation	Richard T. St. Clair
1/26/2005	MISC	GABBY	Plaintiff John N. Bach's List Of Potential Witnesses That May Be Called To Testify At The Trial Of February 8, 2005	Richard T. St. Clair
	MISC	GABBY	Plaintiff John N. Bach's Revised Exhibit List For Jury Trial Of February 8, 2005	Richard T. St. Clair
1/27/2005	MOTN	GABBY	Plaintiff John N. Bach's Motion In Limine	Richard T. St. Clair
	MISC	GABBY	Plaintiff's John N. Bach's Initial Proposed Jury Instrinctions On The Issues Or Claims Of (1)Liability Basis; (2)Joint Liability; (3)To Be Proven Facts Under Claims Presented & /Or Joint Liability Of Defendant Galen Woelk, Individually & dba Runyan & Woelk; And All Recoverable Damages & Punitive Damages	Richard T. St. Clair
	MOTN	GABBY	Motion In Limine	Richard T. St. Clair
	MISC	GABBY	Brief In Support Of Motion In Limine	Richard T. St. Clair
	STIP	GABBY	Addendum To Stipulated Pretrial Order	Richard T. St. Clair
2/1/2005	MISC	GABBY	Trial Brief	Richard T. St. Clair
	MISC	GABBY	Amended Exhibit List	Richard T. St. Clair
2/2/2005	MISC	PHYLLIS	Remittitur	Richard T. St. Clair
2/4/2005	MISC	GABBY	Objections To Plaintiff's Pretrial Submissions	Richard T. St. Clair
2/7/2005	AFFD	PHYLLIS	Affidavit of Galen Woelk	Richard T. St. Clair
	MOTN	PHYLLIS	Emergency Motion for Substitution of Parties and to Shorten Time for Hearing	Richard T. St. Clair
	MISC	PHYLLIS	Brief in Support of Motion	Richard T. St. Clair
	ORDR	PHYLLIS	Order	Richard T. St. Clair
	STIP	PHYLLIS	Stipulation and Order for Dismissal With Prejudice	Richard T. St. Clair
2/11/2005	ORDR	PHYLLIS	Thirty-Fifth Order on Pending Motions	Richard T. St. Clair
	JDMT	PHYLLIS	Final Judgment	Richard T. St. Clair

Date	Code	User		Judge
2/15/2005	BCOP	PHYLLIS	Bond converted - other party (Transaction number 15634 dated 2/15/2005 amount 2,500.00)	Richard T. St. Clair
2/17/2005	JDMT	PHYLLIS	Judgment	Richard T. St. Clair
	CDIS	PHYLLIS	Civil Disposition entered for: Hill, Bret Basil, Defendant; Hill, Deena, Defendant; Bach, John Nicholas, Plaintiff. order date: 2/17/2005	Richard T. St. Clair
	CSCP	PHYLLIS	Case Status Closed But Pending: Closed	Richard T. St. Clair
		GABBY	Miscellaneous Payment: For Issuing An Abstract Paid by: Baker & Harris Receipt number: 0025153 Dated: 2/24/2005 Amount: \$2.00 (Check)	Richard T. St. Clair
2/22/2005	MOTN	PHYLLIS	Motion to Correct Thirty-Fifth Order on Pending Motions	Richard T. St. Clair
2/23/2005	MOTN	PHYLLIS	Motion to Strike Motion for attorneys Fees and Costs brought by Defendants, Estate of Stan Nickle and P's Memorandum Brief in Support of Said Motion and in Opposition to Nickell's Estate Motion for Attorney's fees and Costs and Motion for Sanctions	Richard T. St. Clair
2/24/2005	MEMO	GABBY	Memorandum Of Costs And Attorney Fees	Richard T. St. Clair
	MOTN	GABBY	Motion For Attorneys Fees And Costs	Richard T. St. Clair
	AFFD	GABBY	Affidavit Of Gregory W. Moeller In Support Memorandum Of Costs And Attorney Fees	Richard T. St. Clair
	JDMT	GABBY	Judgment	Richard T. St. Clair
2/25/2005	NOTC	PHYLLIS	Notice of Motions and Motions by P Re Post Twenty Fifth Order and Final Judgment ...	Richard T. St. Clair
2/28/2005	NOTC	PHYLLIS	Notice of Appeal	Richard T. St. Clair
	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 25171 Dated 2/28/2005 for 503.73)	Richard T. St. Clair
3/1/2005		PHYLLIS	Filing: T - Civil Appeals To The Supreme Court Paid by: Aron and Henning Receipt number: 0025190 Dated: 3/2/2005 Amount: \$9.00 (Check)	Richard T. St. Clair
3/4/2005	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
3/7/2005	MISC	PHYLLIS	Objection to "Notice of Motion..."	Richard T. St. Clair
	MISC	PHYLLIS	D Hamblin's objection to P's Motion Regarding Attorney's Fees and Costs	Richard T. St. Clair
	AFFD	PHYLLIS	Second Affidavit of John Bach in Support of Motions filed February 25, 2005	Richard T. St. Clair
3/9/2005	MEMO	PHYLLIS	P's Memorandum Brief in Support of his Motions	Richard T. St. Clair
3/14/2005	MISC	GABBY	Minute Entry	Richard T. St. Clair
	MISC	PHYLLIS	Objection to "Notice of Motions by Plaintiff John N Bach Re Post Twenth Fifth {sic} order and Final Judgment..."	Richard T. St. Clair

Date	Code	User		Judge
3/14/2005	NOTH	PHYLLIS	Notice Of Hearing	Richard T. St. Clair
3/17/2005	ORDR	PHYLLIS	Thirty Sixth Order on Pending Motions	Richard T. St. Clair
3/25/2005		PHYLLIS	Filing: T - Civil Appeals To The Supreme Court Paid by: Alva Harris Receipt number: 0025314 Dated: 3/25/2005 Amount: \$9.00 (Cash)	Richard T. St. Clair
	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 25315 Dated 3/25/2005 for 500.00)	Richard T. St. Clair
	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 25316 Dated 3/25/2005 for 200.00)	Richard T. St. Clair
		GABBY	Filing: T - Civil Appeals To The Supreme Court Paid by: Bach, John Nicholas (plaintiff) Receipt number: 0025324 Dated: 3/25/2005 Amount: \$9.00 (Cash)	Richard T. St. Clair
		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John N. Bach Receipt number: 0025325 Dated: 3/25/2005 Amount: \$10.00 (Cash)	Richard T. St. Clair
4/12/2005	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 25460 Dated 4/12/2005 for 83.22)	Richard T. St. Clair
	BCOP	PHYLLIS	Bond converted - other party (Transaction number 15665 dated 4/12/2005 amount 503.73)	Richard T. St. Clair
	BCOP	PHYLLIS	Bond converted - other party (Transaction number 15666 dated 4/12/2005 amount 83.22)	Richard T. St. Clair
5/6/2005	MINE	PHYLLIS	Minute Entry	Richard T. St. Clair
	MISC	PHYLLIS	Defendant Earl Hamblin's Supplemental Brief in Support of Award of Attorney's Fees	Richard T. St. Clair
	MISC	PHYLLIS	P's Closing Brief in Objection and Opposition to D Hills Motion/Application for Attorney Fees	Richard T. St. Clair
	MISC	PHYLLIS	P's Post Judgment Evidentiary Hearing Brief	Richard T. St. Clair
5/11/2005	ORDR	PHYLLIS	Thirty-Seventh Order on Pending Motions	Richard T. St. Clair
5/12/2005	MOTN	GABBY	Motion For A Ruling On The Estate Of Stan Nickell's Request For Attorneys Fees Pursuant To Rule 54(e)	Richard T. St. Clair
	MISC	GABBY	Brief In Support Of Attorney's Fees And Costs For Defendants Hill	Richard T. St. Clair
5/23/2005	JDMT	PHYLLIS	Amended Judgment	Richard T. St. Clair
	CDIS	PHYLLIS	Civil Disposition entered for: Hill, Bret Basil, Defendant; Hill, Deena, Defendant; Bach, John Nicholas, Plaintiff. order date: 5/23/2005	Richard T. St. Clair
5/27/2005	ORDR	PHYLLIS	Order Denying Motin to Dismiss Appeal	Richard T. St. Clair
6/2/2005	JDMT	PHYLLIS	Amended Judgment	Richard T. St. Clair
	CDIS	PHYLLIS	Civil Disposition entered for: Hamlin, Earl, Defendant; Bach, John Nicholas, Plaintiff. Filing date: 6/2/2005	Darren Simpson

Date	Code	User	Judge
5/13/2005	NOTC	PHYLLIS	John N. Bach's Amended Notice of Appeal Per the Supreme Court of the State of Idaho's Order Denying Motion to Dismiss Appeal of May 23, 2005
	MOTN	TIERA	Verified Application, Motion and Petition by John N Bach, Plaintiff, Respondent & Appellant, for (1) An Ex-Parte Temporary Stay Order of Execution of that orders (thirty sixth and thirty seventh order of Pending Motions, latter filed May 11, 2005) and any Entered/Issued Judgements based on said two orders, etc., of May 23, 2005 and a future Amended Judgements, per which attorneys fees and /or costs have been awarded to Defendants Bret and Deena Hill and Defendant Earl Hamblin, per I.A.R. , Rule 13.(a)(b)(2) and (2) for a more Permanent order staying all said orders and Judgements Execution against John N Bach, pending these consolidated appeals, per I.A.R., Rule 13(g), et seq
6/27/2005	MISC	PHYLLIS	Request for Additional Transcript
8/18/2005	NOTC	GABBY	Amended Notice Of Appeal
8/29/2005	AFFD	GABBY	Affidavit Regarding Computation Of Interest On Judgment
		GABBY	Miscellaneous Payment: Writs Of Execution Paid by: Baker & Harris Receipt number: 0026511 Dated: 8/29/2005 Amount: \$2.00 (Check)
8/30/2005		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John N Bach Receipt number: 0026536 Dated: 8/30/2005 Amount: \$13.00 (Cash)
9/1/2005	MISC	PHYLLIS	Request for Additional Record
	MISC	PHYLLIS	Request for Additional Transcript
9/2/2005	MISC	PHYLLIS	Request for Additional Record
10/27/2005	WRRT	GABBY	Writ Returned
11/10/2005	STJD	GABBY	Satisfaction Of Judgment
1/31/2006	BNDC	PHYLLIS	Bond Posted - Cash (Receipt 27457 Dated 2/1/2006 for 2000.00)
2/14/2006		PHYLLIS	Miscellaneous Payment: For Comparing And Conforming A Prepared Record, Per Page Paid by: Bob Fitzgerald Receipt number: 0027570 Dated: 2/14/2006 Amount: \$1.50 (Cash)
		PHYLLIS	Miscellaneous Payment: For Certifying The Same Additional Fee For Certificate And Seal Paid by: Bob Fitzgerald Receipt number: 0027570 Dated: 2/14/2006 Amount: \$1.00 (Cash)
2/9/2007		TIERA	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: JOHN BACH Receipt number: 0031388 Dated: 2/9/2007 Amount: \$10.00 (Cash)

Date	Code	User		Judge
3/30/2007	MISC	PHYLLIS	2007 Opinion No 57	Richard T. St. Clair
4/27/2007	MISC	PHYLLIS	Remittitur (Galen's Appeal)	Richard T. St. Clair
5/18/2007	NOTC	PHYLLIS	Notice of Hearing Re John N. Bachs, Respondent's adn Appellant's Objections to Clkers & Reporter's Record and transcript on Appeal with Requests for Corrections, Additions and Deletions, Therefrom/Thereeto and Settlement of Transcript and Record I.A.R. Rule 29 et al.	Richard T. St. Clair
5/31/2007	BNDE	PHYLLIS	Cash Bond Exonerated (Amount 32,164.00)	Richard T. St. Clair
6/8/2007	MISC	PHYLLIS	Remittitur	Richard T. St. Clair
6/15/2007	AFFD	GABBY	Affidavit Of John N. Bach In Support Of Application For Immediate (Ex Parte) Application For Issuance Of Order To Show Cause Re: Holding In Contempt The Defendants Bret Hill, deen R. Hill, Their Attorneys (Alva Harris & Jared Harris) And Their Children For Repeated Violations Of The Judgment And Permeanent Injuction Of June 24, 2004	Richard T. St. Clair
	HRHD	PHYLLIS	Hearing Held	Richard T. St. Clair
6/20/2007	OSCI	PHYLLIS	Order To Show Cause to Appear before the Above Entitled Court upon Defendants Bret Hill, Deena Hill, their attorneys, etc., and Show Cause why each of them should not be held in Contempt for Numerous Violations the Judgment and Permanent Injunctions of June 24, 2004 Issued Against Them	Richard T. St. Clair
		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: John Bach Receipt number: 0033049 Dated: 6/20/2007 Amount: \$1.00 (Cash)	Richard T. St. Clair
		PHYLLIS	Miscellaneous Payment: For Certifying The Same Additional Fee For Certificate And Seal Paid by: John Bach Receipt number: 0033049 Dated: 6/20/2007 Amount: \$1.00 (Cash)	Richard T. St. Clair
	HRSC	PHYLLIS	Hearing Scheduled (Order to Show Cause 08/07/2007 02:00 PM)	Richard T. St. Clair
8/6/2007	MISC	PHYLLIS	Objection to Order to Show Cause	Richard T. St. Clair
8/7/2007	RETS	GABBY	Return Of Service Of Order To Show Cause Re Contempt With Attached Affidavit Of John N. Bach; Personal Service Upon: Alva Harris, Jared Harris, Bret Hill (And Refusal By Bret Hill To Allow Personal Service Upon His Wife, Deena R. Hill)	Richard T. St. Clair
	HRHD	PHYLLIS	Hearing result for Order to Show Cause held on 08/07/2007 02:00 PM: Hearing Held	Jon J Shindurling
9/4/2007	MOTN	PHYLLIS	Plaintiff's Motion to Have Issued Amended Citation Re Contempt Charge Against Bret Hill, Deena Hill, and their Attorneys, Alva A Harris and Jared Harris	Richard T. St. Clair

Date	Code	User		Judge
9/11/2007	ORDR	GABBY	Order Of Assignment	Jon J Shindurling
9/20/2007	HRSC	PHYLLIS	Hearing Scheduled (Motions 10/09/2007 02:00 PM)	Jon J Shindurling
	MOTN	PHYLLIS	Plaintiff John N Bach's Notice of Motion and Motion with Affidavit for Immediate Issuance of Written Charge of Contempt Against Defendants Bret Hill, Deena R. Hill, Alva A. Harris, Jared Harris and the Hills' Attorney, Jared Harris of Multiple Charges /Counts of Contempt of the Judgment and Permanent Injunction of June 24, 2004. (I.R.C.P., Rule 75(c), 75(d), etc.	Jon J Shindurling
10/3/2007	MOTN	GABBY	Motion For Disqualification	Jon J Shindurling
10/5/2007	MOTN	PHYLLIS	Plaintiff John N. Bach's Motion Re (1) Order Striking Alva A. Harris' Motion for Peremptory Disqualification of Judge Jon Shindurling; and (2) For Sanctions Re Contempt per IRCP Rule 11(a) et seq	Jon J Shindurling
10/9/2007	ORDR	PHYLLIS	Order of Disqualification	Jon J Shindurling
	HRRS	PHYLLIS	Hearing result for Motions held on 10/09/2007 02:00 PM: Hearing Rescheduled	Jon J Shindurling
10/31/2007	ORDR	PHYLLIS	Order of Assignment	Darren Simpson
12/13/2007	MOTN	PHYLLIS	Plaintiff and Counterclaim Defendant John N. Bach's Motion Re: 1) Plaintiff's Objections, Requests for Corrections, Delections, & additions to Clerk's and Reporter's Records on Appeal as he has Repeated Requested; and 2) to Take Depositions of Judge St. Clair, his clerk, & Clerk of Teton COunrt, Phyllis Hansen and include their Deposition Transcripts as Augmenting Completeing Reporter's Transcript on Appeal	Darren Simpson
	HRSC	PHYLLIS	Hearing Scheduled (Motions 01/25/2008 03:00 PM)	Darren Simpson
1/17/2008		CGNEITING	Plaintiff's Renotice Of Hearing For Issurance Of Contempt Citation & Taking Of Pleas, Setting Hearings On Contempt Citations Against 1) Alva A. Harris; 2) Jared Harris; 3) Bret Hill; and 4) Deena R. Hill (Ircprule 75 (c) (d)	Darren Simpson
1/22/2008	MISC	PHYLLIS	Objection to John N. Bach's Latest Motion Challenging Clerk's Record and Reporter's Transcript	Darren Simpson
1/25/2008	NOTH	PHYLLIS	Amended Notice Of Hearing	Darren Simpson
	HRRS	PHYLLIS	Hearing Rescheduled (Motions 02/08/2008 02:00 PM)	Darren Simpson
	MISC	GABBY	Marvin M. Smith's Objection To Bach's Request For Contempt Citation Against Him	Darren Simpson
1/28/2008	MOTN	PHYLLIS	Motion for Sanctions	Darren Simpson

Date	Code	User		Judge
1/29/2008	MISC	GABBY	Plaintiff John N. Bach's Further Renotice Of Hearing On Feb. 8, 2008 @ 2 p.m. Re Plaintiff's Motion For Issuance Of contempt Citation And Taking Pleas, Setting Hearings On Contempt Citations Against Alva A. Harris; Jared Harris; Marvin M. Smith, Bret Hill And deena R. Hill; And Further Affidavit Of John N. Bach Date: Fri., Feb 8, 2008 Time: 2 p.m. Place: Teton Co. Cthse.	Darren Simpson
1/30/2008	MISC	GABBY	Plaintiff/Respondent & Appellant John N. Bach's Renotice Of Hearing On All His Motions Filed Dec. 13, 2007, Such Motion To Be Called Up & Heard Friday, February 8, 2008 @ 2 P.M., Teton County Courthouse, 89 N. Main, Driggs, ID 8342; Date Of Hearing: Feb 8, 2008 Time: 2 P.M. Place: Teton County Courthouse 89 N. Main, Driggs, ID 83422 (Idaho Supreme Court, Dkts 31719/31717)	Darren Simpson
2/12/2008	NOTH	PHYLLIS	Amended Notice Of Hearing	Darren Simpson
	MISC	GABBY	Intervenor Complainant John N. Bach's Further Brief In support Of All His Motions To Strike/Quash Purported Plaintiffs' Motions For Reconsideration (IRCP, Rule 11 (a) (2) (B); And Untimely Motion For Relief Per IRCP Rule 60 (b) (?) or 60 (b) (6)	Darren Simpson
2/13/2008	MINE	PHYLLIS	Minute Entry and Order	Darren Simpson
2/14/2008	HRHD	PHYLLIS	Hearing result for Motions held on 02/08/2008 02:00 PM: Hearing Held	Darren Simpson
4/10/2008	ORDR	PHYLLIS	Order Denying the Motion of Defendants Bret and Deena R. Hill for Sanctions	Darren Simpson
4/15/2008	ORDR	PHYLLIS	Order Denying Plaintiff's Motions for Contempt	Darren Simpson
	ORDR	PHYLLIS	Order Denying Plaintiff's Second Request for Correction of Clerk's Record on Appeal and of Reporter's Transcript	Darren Simpson
5/4/2009	MISC	PHYLLIS	Request for Additional Rule 19 Transcript	Darren Simpson
5/5/2009	BCOP	PHYLLIS	Bond converted - other party (Transaction number 16486 dated 5/5/2009 amount 500.00)	Darren Simpson
	BCOP	PHYLLIS	Bond converted - other party (Transaction number 16487 dated 5/5/2009 amount 2,000.00)	Darren Simpson
	BCOP	PHYLLIS	Bond converted - other party (Transaction number 16488 dated 5/5/2009 amount 500.00)	Darren Simpson
	BCOP	PHYLLIS	Bond converted - other party (Transaction number 16489 dated 5/5/2009 amount 200.00)	Darren Simpson
6/2/2009		PHYLLIS	Miscellaneous Payment: For Comparing And Conforming A Prepared Record, Per Page Paid by: Hopkins Roden Receipt number: 0040647 Dated: 6/2/2009 Amount: \$1.00 (Check)	Darren Simpson

Date	Code	User	Judge
6/2/2009		PHYLLIS	Miscellaneous Payment: For Certifying The Same Additional Fee For Certificate And Seal Paid by: Hopkins Roden Receipt number: 0040647 Dated: 6/2/2009 Amount: \$1.00 (Check)
2/2/2010		STACEY	Filing: K6 - Renewing a judgment Paid by: Bach, John Nicholas (plaintiff) Receipt number: 0043218 Dated: 2/2/2010 Amount: \$9.00 (Cash) For: Bach, John Nicholas (plaintiff)
	MOTN	STACEY	Plaintiff John N. Bach's Motion per I.C. 11-105/11-312 For Order of Seventh Judicial District Court, Teton Granting leave and Extension of Judgments Entered on Feb. 11, 2005 May Be Enforced/Carried Out Until Feb. 11, 2015, (No Hearing should be required & this Motion should be heard Ex Parte: Copies Have been Served Via Mail this Date, On Counsel of Record for the Defaulting Defendants, The Judgments Against them being Affirmed, Jan, 29, 2010.)
	MISC	PHYLLIS	2010 Opinion No. 8
2/24/2010	MISC	PHYLLIS	Plaintiff's Request Re: Granting of his Motion Per I.C> Section 11-105 & 11-312 For Granting Leave to Extension of Judgments Entered Def. 2005 to be Revived, Enforced, Etc., Through Feb. 11, 2015
2/25/2010		STACEY	Miscellaneous Payment: Fax Fee Paid by: Holden Kidwell Hahn & Crapo Receipt number: 0043453 Dated: 2/25/2010 Amount: \$12.00 (Credit card)
		STACEY	Miscellaneous Payment: Technology Cost - CC Paid by: Holden Kidwell Hahn & Crapo Receipt number: 0043453 Dated: 2/25/2010 Amount: \$3.00 (Credit card)
3/10/2010	MOTN	GABBY	Plaintiff John N. Bach's Motion To Strike Defendant's Wayne Dawson's Woefully Late, Specious And Utterly Untruthful, Etc., Objection To Plaintiff's Motion To Extend Judgments
3/12/2010	MISC	PHYLLIS	Objection to Motion to Extend Judgments
3/15/2010		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Patricia Kapplow Receipt number: 0043680 Dated: 3/15/2010 Amount: \$4.00 (Cash)
	MISC	PHYLLIS	Objection to Motion to Extend Judgment
3/17/2010	MOTN	PHYLLIS	Plaintiff John N. Bach's Motion to Strike Objections and Opposition to Defendants Represented by Defendant Alva A Harris's Woefully & Speciously Frivolously Untruthfully Late Objections to Motion to Extend Judgments
3/22/2010	MISC	PHYLLIS	2010 Opinion No. 25

Date	Code	User	Judge
3/23/2010		PHYLLIS	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Patricia Kapplow Receipt number: 0043760 Dated: 3/23/2010 Amount: \$2.00 (Cash)
3/24/2010	NOTH	GABBY	Notice Of Hearing
	HRSC	GABBY	Hearing Scheduled (Motions 05/21/2010 01:30 PM)
4/6/2010	AFFD	PHYLLIS	Affidavit and Memorandum of Costs and Attorney's Fees as to Bret and Deena Hill
	AFFD	PHYLLIS	Affidavit and Memorandum of Costs and Attorney's Fees
5/11/2010	ORDR	PHYLLIS	Order Denying Petition for Rehearing
5/19/2010	MISC	PHYLLIS	Remittitur (31717-2005)
	MISC	PHYLLIS	Remittitur (31716-2005)
5/21/2010	NOTH	PHYLLIS	Amended Notice Of Hearing
	HRHD	PHYLLIS	Hearing result for Motions held on 05/21/2010 01:30 PM: Hearing Held in Fremont County
5/25/2010	MINE	PHYLLIS	Minute Entry
5/26/2010	MINE	PHYLLIS	Minute Entry
5/28/2010	NOTH	PHYLLIS	Notice Of Hearing
6/14/2010		STACEY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Marvin Smith Receipt number: 0044571 Dated: 6/14/2010 Amount: \$3.00 (Credit card)
		STACEY	Miscellaneous Payment: Technology Cost - CC Paid by: Marvin Smith Receipt number: 0044571 Dated: 6/14/2010 Amount: \$3.00 (Credit card)
		GABBY	Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: Smith & Banks Receipt number: 0044573 Dated: 6/14/2010 Amount: \$4.00 (Check)
		GABBY	Miscellaneous Payment: For Certifying The Same Additional Fee For Certificate And Seal Paid by: Smith & Banks Receipt number: 0044573 Dated: 6/14/2010 Amount: \$1.00 (Check)
7/8/2010	ORDR	PHYLLIS	Order Granting Plaintiff's Motion to Extend Judgment
7/23/2010	MOTN	PHYLLIS	Motion to Reconsider Granting Motion to Extend Default judgment Entered February 27, 2004
8/2/2010	MOTN	PHYLLIS	Plaintiff John N. Bach's Motion to Strike, Objections to & Opposition to Without Standing Attorneys Sapient Trading, LLC, and All Defendants, Purportedly represented by Jared M. Harris and Motion for Sanctions, IRCP Rule 11(a)(b)(1) & (2) & Rule 1 Et Al
8/9/2010	ORDR	PHYLLIS	Order Awarding Costs and Attorney Fees

Date	Code	User		Judge
8/9/2010	CDIS	PHYLLIS	Civil Disposition entered for: Hamblin, Earl, Defendant; Bach, John Nicholas, Plaintiff. Filing date: 8/9/2010	Darren Simpson
	CSCP	PHYLLIS	Case Status Closed But Pending: Closed	Darren Simpson
	CDIS	PHYLLIS	Civil Disposition entered for: Runyan, Hysler Cody, Defendant; Woelk, Galen Bruce, Defendant; Bach, John Nicholas, Plaintiff. Filing date: 8/9/2010	Darren Simpson
	CDIS	PHYLLIS	Civil Disposition entered for: Miller, Katherine, Defendant; Bach, John Nicholas, Plaintiff; Bach, John Nicholas, Plaintiff. Filing date: 8/9/2010	Darren Simpson
	CDIS	PHYLLIS	Civil Disposition entered for: Nickell, Stan, Defendant; Bach, John Nicholas, Plaintiff; Bach, John Nicholas, Plaintiff. Filing date: 8/9/2010	Darren Simpson
8/17/2010	HRSC	GABBY	Hearing Scheduled (Motions 11/05/2010 01:00 PM) Motion For Reconsider	Darren Simpson
	NOTH	GABBY	Notice Of Hearing	Darren Simpson
9/1/2010	NOTH	GABBY	Notice Of Hearing	Darren Simpson
9/2/2010	HRSC	GABBY	Hearing Scheduled (Motions 11/05/2010 01:00 PM)	Darren Simpson
10/15/2010	MISC	GABBY	Request To Appear Telephonically	Darren Simpson
10/19/2010	MISC	PHYLLIS	Request to Appear Telephonically	Darren Simpson
10/20/2010	MISC	PHYLLIS	Request to Appear Telephonically	Darren Simpson
10/22/2010	MISC	GABBY	Request To Appear Telephonically	Darren Simpson
11/3/2010	ORDR	PHYLLIS	Order Denying Oral Argument and Denying Motions to Reconsider	Darren Simpson
11/5/2010	HRVC	PHYLLIS	Hearing result for Motions held on 11/05/2010 01:00 PM: Hearing Vacated Motion For Reconsider	Darren Simpson
11/9/2010	NOTC	PHYLLIS	Notice of Telephonic Appearance	Darren Simpson
12/15/2010		GABBY	Filing: L4 - Appeal, Civil appeal or cross-appeal to Supreme Court Paid by: Baker & Harris Receipt number: 0046122 Dated: 12/15/2010 Amount: \$101.00 (Credit card) For: Dawson, Wayne (defendant)	Darren Simpson
		GABBY	Filing: Technology Cost - CC Paid by: Baker & Harris Receipt number: 0046122 Dated: 12/15/2010 Amount: \$3.00 (Credit card) For: Dawson, Wayne (defendant)	Darren Simpson
	BNDC	GABBY	Bond Posted - Cash (Receipt 46123 Dated 12/15/2010 for 200.00)	Darren Simpson
	NOTC	GABBY	Notice Of Appeal	Darren Simpson

FILED IN CHAMBERS
at Idaho Falls
Bonneville County
Honorable Richard T. St. Clair
Date February 23, 2004
Time 3:00
Deputy Clerk M. Southwick

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

JOHN N. BACH,

Plaintiff,

vs.

KATHERINE D. MILLER aka
KATHERINE M. MILLER, ALVA
HARRIS, Individually & dba
SCONA, INC., JACK LEE McLEAN,
BOB FITZGERALD, OLE OLSON, BOB
BAGLEY & MAE BAGLEY, husband and
wife, BLAKE LYLE, Individually
and dba GRAND TOWING, GALEN
WOELK and CODY RUNYAN,
Individually & dba RUNYAN &
WOELK, ANN-TOY BROUGHTON, WAYNE
DAWSON, MARK LIPONIS, EARL
HAMLIN, STAN NICKELL, BRET HILL
& DEENA R. HILL, and DOES 1
through 30, Inclusive,

Defendants.

Case No. CV-02-208

**AMENDED
DEFAULT JUDGMENT
AGAINST WAYNE DAWSON**

This amended judgment is entered this 23rd day of February, 2004, with such amendments to the January 5, 2004 judgment stated herein below in bold typeface.

On September 27, 2002, plaintiff John N. Bach ("Bach") filed a first amended complaint against defendant Wayne Dawson ("Dawson") and several other defendants, seeking as to Dawson a decree quieting title to several tracts of real property in Teton County, Idaho, and seeking compensatory damages.

AMENDED DEFAULT JUDGMENT AGAINST WAYNE DAWSON

1

On December 20, 2002, Dawson was personally served with the summons and a copy of Bach's first amended complaint. On January 27, 2003, the Clerk entered Dawson's default. Thereafter the Court denied Dawson's motion to set aside default, and two motions for reconsideration, but allowed Dawson to participate as to damages claims in a default evidentiary hearing under Rule 55(b)(2), I.R.C.P.

The Court having taken as true the well pleaded factual allegations in Bach's first amended complaint as against Dawson; and the Court having determined in its previous orders that Bach has no interest in the 87 acres described in the first count, and the Court having quieted title in the name of Miller as to such property; and the Court having determined that the tenth count alleging violation of the Idaho RICO Act is barred by an order dismissing with prejudice the same count in Bach's federal action entitled John N. Bach v. Teton County, et. al., CV-01-266-E-TGN; and the Court noting that I. C. § 6-1604 prohibits recovery of punitive damages without first obtaining leave of court to amend one's complaint based on evidence of malicious, wanton and willful conduct; and the Court noting that default judgments cannot be entered for relief not pleaded in the complaint served on the defaulted defendant; and the Court having noted that several of Bach's counts contain only conclusions as to what Dawson did or did not do rather than "well pleaded facts"; and

Court having taken evidence as to Bach's alleged damages on the 5th day of December, 2003; and the Court having made its own assessment as to the credibility of all witnesses and exhibits; and the Court having reviewed the legal authorities in the post hearing memoranda filed by both Bach and Dawson; and the Court noting that Rule 55(a) provides that "findings of fact and conclusions of law are unnecessary in support of a judgment by default;" and the Court having reviewed the legal authorities submitted by Bach as to remedies of partners and/or joint owners of real property; and the Court being fully advised in the premises:

WHEREFORE, by virtue of the law and by the reasons of the premises aforesaid, it is ordered and adjudged pursuant to Rule 58(a), I.R.C.P. as follows:

IT IS HEREBY ORDERED that:

1. As to counts two, three and four of Bach's first amended complaint seeking a decree quieting title against Dawson, Bach shall have judgment against Dawson decreeing that Dawson has no title to, or interest in, the Drawknife 33 acres in Teton County described as follows:

SE1/4SW1/4 of Section 35, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho,
LESS a tract beginning at the SE corner of the SW1/4 of Section 35, Township 6 North, Range 45 EBM; running thence North 516 feet; thence West 295 feet; thence South 516 feet; thence East 295 feet to the point of beginning.

Further Dawson has no title to, or interest in, the 1 acre property located at 195 North Hwy 33, Driggs, Idaho, described as follows:

Approximately 1 acre on the East side of Highway 33, North of Driggs, Idaho, with the address of 195 N. Hwy 33, Driggs, Idaho, beginning at the NW corner of Lot 1, Block 1, Teton Peaks View, Division 1, Teton County, Idaho according to said recorded plat; running thence South 200 feet; thence East 220 feet; thence North 200 feet; thence West 220 feet to the point of beginning.

Further Dawson has only an undivided one-half interest in the 8.5 acres adjacent to 195 North Highway 33 in Teton County described as follows:

Lot 1, Block 1, Teton Peaks View, Division 1, as per the recorded plat thereof, Teton County, Idaho. Together with 20 shares of Grand Teton Canal Company and all mineral, gas, oil and geothermal rights appurtenant thereto, LESS approximately 1 acre on the East side of Highway 33, North of Driggs, Idaho, with the address of 195 N. Hwy 33, Driggs, Idaho, beginning at the NW corner of Lot 1, Block 1, Teton Peaks View, Division 1, Teton County, Idaho according to said recorded plat; running thence South 200 feet; thence East 220 feet; thence North 200 feet; thence West 220 feet to the point of beginning.

Further Dawson has only an undivided one-fourth interest in the Peacock 40 acres in Teton County described as follows:

SW1/4SE1/4 of Section 6, Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho.

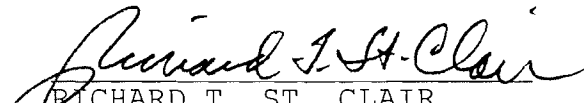
2. As to counts five, six, seven, nine, eleven and twelve seeking damages, plaintiff Bach shall have judgment against Dawson for \$5,000.00, being those damages proximately caused by AMENDED DEFAULT JUDGMENT AGAINST WAYNE DAWSON

all acts of Dawson established by "well pleaded factual allegations" as to Dawson alleged in the complaint and by testimony at all evidentiary hearings and in affidavits on file in this action;

3. Count one is barred by this Court's judgment quieting title as to all real property described in that count in the name of defendant Katherine Miller; count eight does not allege a claim against Dawson; and count ten is barred by res judicata effect of the Judge Nelson's order dismissing the same count with prejudice in the above cited federal action.

4. The amount of any costs shall be determined hereafter under Rule 54, I.R.C.P.

DATED this 23rd day of February, 2004.


RICHARD T. ST. CLAIR
DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the ^{23rd} day of February, 2004, I certify that a true and correct copy of the foregoing document was mailed, telefaxed or hand delivered to the following persons:

John N. Bach
1858 S. Euclid Avenue
San Marino, CA 91108
Telefax Nos. 626-441-6673

(TELEFAX & MAIL)

Alva Harris
P. O. Box 479
Shelley, ID 83274
Telefax No. 208-357-3448

(TELEFAX & MAIL)

Galen Woelk
Runyan & Woelk, P.C.
P.O. 533
Driggs, ID 83422
Telefax No. 208-354-8886

(TELEFAX & MAIL)

Jason Scott
P. O. Box 100
Pocatello, ID 83204
Telefax No. 208-233-1304

(TELEFAX & MAIL)

Jared Harris
P. O. Box 577
Blackfoot, ID 83221
Telefax No. 208-785-6749

(TELEFAX & MAIL)

Anne Broughton
1054 Rammell Mountain Road
Tetonia, ID 83452

(MAIL)

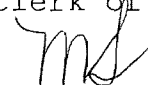
David Shipman
P. O. Box 51219
Idaho Falls, ID

(COURTHOUSE BOX)

Gregory Moeller
P. O. Box 250
Rexburg, ID 83440-250

(MAIL)

RONALD LONGMORE
Clerk of Court


Deputy Court Clerk

FILED

JAN 02 2010

TIME: 11:57am JG
TETON CO. ID DISTRICT COURT

IN THE SEVENTH JUDICIAL DISTRICT COURT,
STATE OF IDAHO, COUNTY OF TETON

JOHN N. BACH,

Plaintiff,

v.

ALVA A. HARRIS, Individually
& dba SCONA, INC., a sham
entity; JACK LEE McLEAN, de-
ceased; Estate of JACK LEE
McLEAN, and Personal Repres-
entative LYNN McLEAN, (daughter
and PAULA EHRLER, daughter-only
heirs); BOB FITZGERALD, Indivi-
dually & dba CACHE RANCH; OLE
OLESON; BLAKE LYLE, Individually
& dba GRAND TOWING, & also dba
GRAND BODY & PAINT; WAYNE
DAWSON; MARK LIPONIS: etc.,

Defendants.

CASE NO: CV 02 - 208
(Idaho Supreme Court Docket
31716, 2010 Opinion No. 8.
Filed: January 29, 2010.)

PLAINTIFF JOHN N. BACH'S
MOTION PER I.C. 11-105/11-312
FOR ORDER OF SEVENTH JUDI-
CIAL DISTRICT COURT, TETON,
GRANTING LEAVE AND EXTENSION
OF JUDGMENTS ENTERED ON FEB.
11, 2005 MAY BE ENFORCED/
CARRIED OUT UNTIL FEB. 11,

2015.
(App. A. Fee Category K, 6, \$9.00)
NO HEARING SHOULD BE REQUIRED &
THIS MOTION SHOULD BE HEARD EX
PARTE; COPIES HAVE BEEN SERVED
VIA MAIL THIS DATE, ON COUNSEL
OF RECORD FOR THE DEFAULTING DE-
FENDANTS, THE JUDGMENTS AGAINST
THEM BEING AFFIRMED, Jan, 29, 2010.)

COMES NOW PLAINTIFF JOHN N. BACH, and does hereby
move this Honorable Seventh District Judicial Court, State of
Idaho, County of Teton, for an ORDER, Reviving, Granting Leave
to Extend those three (3) individual default judgments,
February 11, 2005 in this Action CV 02-208, which individual
default judgments were filed:

1. Amended Default Judgment Against WAYNE DAWSON,
filed February 23, 2004
2. Default Judgment Against ALVA A. HARRIS, Individually
& dba SCONA, INC., a sham entity, BOB FITZGERALD, Indi-
vidually & dba CACHA RANCH, OLE OLESON, and BLAKE LYLE,

Individually & dba GRAND TOWING, & also dba
GRAND AUTO BODY & PAINT, filed March 27, 2004; and

3. Default Judgment Against Lynn McLean, as Personal Representative of the Estate of JACK LEE MCLEAN, filed September 21, 2004.

As these three (3) default judgments were not final, with other defendants and issues still to be tried, they were made final, per the words of this Court's FINAL JUDGMENT filed February 11, 2005, page 3, paragraphs 2, 3 and 6. thereof

An appeal was filed by Alva A. Harris, both as an individual defendant and for all other defaulting defendants, such appeal being Idaho Supreme Court's docket 31716, which was argued January 15, 2010 with a written for publication decision issuing thereafter, 2010 Opinion No. 8., filed January 29, 2010.

This 2010 Opinion No. 8., a copy of it in entirety, is attached hereto, marked EXHIBIT "1" and by such reference incorporated herein. Said 2010 OPINION NO. 8, AFFIRMS all the three (3) aforesaid default judgments, as to each defendant and all defendants named therein, which each defendant at one stage or another were represented solely by attorney and defaulting defendant ALVA A. HARRIS, with substitution of counsel later by JARED HARRIS, Esquire.

Plaintiff is now desirous to have execution issue, served and perfected to complete payment of all sums due plus interests and costs under/per each of said three (3) DEFAULT JUDGMENTS. He is further desirous, requesting, moving and seeking from this Honorable Court the foregoing ORDER REVIVING, EXTENDING AND ENFORCING FOR AN ADDITIONAL FIVE (5) YEARS, THROUGH FEBRUARY 11, 2015 EACH OF SAID THREE (3) DEFAULT JUDGMENTS.

Because of the pendency, until January 29, 2010 of the Idaho Supreme Court's 2010 OPINION No. 8, affirming said default

a copy of which was received by Plaintiff via his mail,
Monday, February 1, 2010, there was just and good cause/
reason/basis of not executing sooner on each of said judg-
ments. Moreover a companion appeal, filed by Plaintiff in
Idaho Supreme Court, Docket 31717, also argued January 15,
2010, has issues to be yet decided therein, regarding the large
increase, additur or awarding of much higher monetary amounts
than what is stated in each of said three (3) defaulting judg-
ments, as a result of the affirmation of January 29, 2010 in
Docket 31716.

For all of the foregoing basis and showing, Plaintiff
requests the issuance of said ORDER, REVIVING, EXTENDING AND
ENFORCING FOR AN ADDITIONAL FIVE YEARS, THROUGH FEBRUARY 11,
2010 EACH OF SAID THREE (3) DEFAULT JUDGMENTS.

I, do hereby declare under penalty of perjury, that
I was this date, placed under oath, that I give and state
the aforesaid, per my own personal knowledge, involvement,
participation and witnessing, as true and correct,

Dated; February 2, 2010

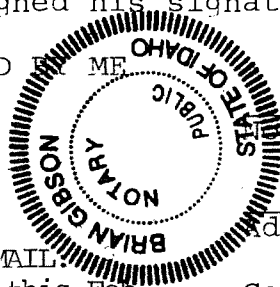
STATE OF IDAHO)

ss

COUNT OF TETON)

I, the undersigned Notary for the State of Idaho, do this
Feb. 2, 2010, affirm, attest, declare and state, that on this
date, JOHN N. BACH, the plaintiff herein did appear, was duly
placed under oath, gave the above testimony/statments of his own
personal knowledge, signed his signature which I witnessed.

SO SWORN AND SUBSCRIBED



Notary Signature

Address

CERTIFICATE OF SERVICE BY MAIL

I, the undersigned certify this Feb.
2, 2010, copies of this document were

Comm'n Expires 4/10/13

IN THE SUPREME COURT OF THE STATE OF IDAHO

Docket No. 31716

JOHN N. BACH,

Plaintiff-Respondent,

v.

KATHERINE D. MILLER, aka
KATHERINE M. MILLER, dba R.E.M.;
BOB BAGLEY and MAE BAGLEY, husband
and wife; GALEN WOELK and CODY
RUNYAN, individually, dba RUNYAN &
WOELK; ANN-TOY BROUGHTON;
WAYNE DAWSON; MARK LIPONIS;
EARL HAMBLIN; STAN NICKELL; BRET
HILL and DEENA R. HILL; and DOES 1
through 30, inclusive,

Defendants,

and

ALVA HARRIS, individually, dba SCONA,
INC.; JACK LEE McLEAN and BOB
FITZGERALD, individually, dba CACHE
RANCH; OLE OLESON; BLAKE LYLE,
individually, dba GRAND TOWING,

Defendants-Appellants.

Boise, January 2010 Term

2010 Opinion No. 8

Filed: January 29, 2010

Stephen W. Kenyon, Clerk

Appeal from the District Court of the Seventh Judicial District of the State of Idaho,
Teton County. The Honorable Richard T. St. Clair, District Judge.

The judgment of the district court is affirmed.

Alva A. Harris, Shelley, for appellants.

John N. Bach, Driggs, respondent pro se.

EXHIBIT "1"

J. JONES, Justice.

This is an appeal of the district court's refusal to set aside a default and judgment by default against the appellants. We affirm.

I.

Factual and Procedural Summary

Between 1992 and 2000, John N. Bach acquired various interests in real property in Teton County under variations of the name "Targhee Powder Emporium." However, he took no action to establish a separate legal entity in that name or to file an assumed business name certificate until 2007. Bach also purported to acquire some interests in real property on behalf of the Vasa N. Bach Family Trust, which was established by Bach's mother in 1993 with Bach as the trustee. Bach treated all acquired property interests as his personal property, even executing assignments on behalf of these entities to himself in a personal capacity.

As a result of his acquisition and use of these interests, Bach's relationship with several neighboring land owners and other Teton County residents, including Alva M. Harris; Scona, Inc.; Bob Fitzgerald; Ole Oleson; Blake Lyle; and Jack McLean¹ (appellants), deteriorated, culminating in a series of altercations that Bach characterized as "raids" on his property. There is evidence in the record that some of the appellants did enter upon real property which Bach occupied and carry away or cause damage to his personal property, resulting in the district court's entry of a preliminary injunction. There is also some evidence that threats were made against Bach by some of the appellants and vice-versa. However, it appears that a number of the "raids" resulted from actions taken by Bach to block Katherine Miller's access to a parcel of property purported to be jointly owned by Bach and Miller, as well as another parcel held solely by Miller. Also, apparently prompted by Bach's actions, Miller, McLean, Mark Liponis, and Alva Harris joined together to form an incorporated entity known as Targhee Powder Emporium, Inc., that they subsequently used to deed land interests Bach obtained in the name of the Targhee entities to allegedly defrauded parties. Bach filed suit against the appellants, along with several other parties, on July 23, 2002, filing an amended complaint on September 27, 2002. The amended complaint alleged causes of action for quiet title, slander of title, intentional

¹ Jack McLean passed away in December 2003. His daughter, Lynn McLean, was appointed personal representative of his estate in Teton County and the estate was substituted for Jack McLean as a party defendant.

interference with prospective economic advantage, breach of fiduciary duty, conversion, malicious prosecution, and malicious harassment.

Harris appeared on behalf of all appellants and moved to strike the amended complaint on grounds that it improperly included additional parties, was brought for improper purposes, and failed to state a claim on which relief could be granted. The district court ruled that the appellants need not file an answer until it acted upon their motion to strike. The district court denied the motion to strike on January 10, 2003. The appellants then filed a motion to dismiss Bach's claims under Idaho Rule of Civil Procedure (I.R.C.P.) 12(b)(8) on the basis that the claims had already been addressed and dismissed with prejudice in a previous federal case. On January 27, 2003, Bach procured the entry of a default against the appellants. The appellants' motion to dismiss was denied on March 4, 2003, meaning that in order to be timely, the appellants had to file an answer by March 14, 2003. Idaho R. Civ. P. 12(a), 77(d).² The appellants filed an answer on March 19, 2003; however, the clerk of the district court had already entered default against them that morning.

The appellants brought a motion to set the default aside under I.R.C.P. 55(c) and 60, which they supported with "documents and pleadings on file herein and attached hereto." However, nothing was attached to the motion to set aside the default and the appellants filed no affidavits in support of their motion. The court entered an order striking the appellants' answer as untimely because of the January 27, 2003 default. The court's order contained no mention of the March 19, 2003 default. After the answer was stricken, the appellants filed a subsequent motion to set aside the default. In support of their motion, appellants argued that default could not be entered against them under I.R.C.P. 55 because they had appeared in the action and did not receive a notice of Bach's intent to take default. The district court again denied the appellants' motion. Although the district court found that the January 27, 2003 default was improperly entered because of the pending 12(b)(8) motion, the court found that the March 19, 2003 default was properly entered. The district court rejected the appellants' arguments in support of setting aside the default, finding that default was entered by the clerk under I.R.C.P. 55(a)(1), and that a clerk's entry of default did not require three days' notice.³ The court also found the appellants

² References to the I.R.C.P. in this opinion refer to the version in effect in 2003.

³ At the time, I.R.C.P. 55(a)(1) authorized the clerk to enter a default against a party who had failed to plead or otherwise defend. An amendment effective July 1, 2004, removed that authorization. The 2004 amendment also incorporated into rule 55(a)(1) the present three-days' notice requirement for a party who has appeared in the action.

failed to make a showing of sufficient facts to warrant setting aside the default, specifically that they failed to show a meritorious defense to the causes of action asserted against them. Appellants moved to reconsider the district court's refusal to set aside default, but their motion was denied.

Because of the nature of the causes of action asserted against the appellants, the district court ordered an evidentiary hearing to determine the terms of the judgment to be entered against them. Once that hearing was held, the court entered default judgment against the appellants,⁴ imposing monetary damages and quieting Bach's title to all disputed properties. Once final judgment was entered, the appellants filed a timely notice of appeal to this Court, arguing that the district court erred in allowing default to be entered, in failing to set aside the default, and in imposing speculative damages against the appellants.

II. Issues Presented on Appeal

The following issues are presented on appeal: (1) whether the district court abused its discretion in declining to set aside the default; and (2) whether the district court's award of monetary damages was proper.

III. Discussion

A. Standard of Review

A motion to set aside a default or judgment by default is addressed to the discretion of the trial court. *Marco Distributing, Inc. v. Biehl*, 97 Idaho 853, 856, 555 P.2d 393, 396 (1976). A district court's refusal to set aside a default judgment will not be disturbed on appeal, absent an abuse of that discretion. *Idaho ex rel. Russell v. Real Prop. Situated in the County of Cassia*, 144 Idaho 60, 62, 156 P.3d 561, 563 (2007). In determining whether the district court abused its discretion, this Court considers whether the trial court: (1) correctly understood the issue to be one of discretion; (2) acted within the outer bounds of its discretion; and (3) reached its decision on the motion before it through the exercise of reason. *Id.* The legal standard for a motion to set aside a default or default judgment under I.R.C.P. 55(c) is either "for good cause shown" or the grounds found in I.R.C.P. 60(b), which allows default judgment to be set aside for, among other

⁴ A separate default judgment was entered against Lynn McLean as personal representative of the estate of Jack McLean. No default judgment was entered against Jack McLean himself.

things, mistake, inadvertence, or excusable neglect. *Id.* When ruling on a motion to set aside a default judgment on I.R.C.P. 60(b) grounds, the district court is deemed to have acted within its discretion if it applies the governing legal standards to the facts in a logical manner while keeping in mind the disfavored status of default judgments. *Id.*

B.

The Default Was Properly Entered

The appellants argue that the district court abused its discretion in refusing to set aside the default entered by the clerk on March 19, 2003, because the appellants did not receive the three-days' notice required by I.R.C.P. 55(b)(2) to parties who have already appeared in an action. The district court, in ruling on the motion to set aside the default, pointed out that the three-day notice requirement of I.R.C.P. 55(b)(2) did not apply to entry of default under I.R.C.P. 55(a).

The appellants were not entitled to three-days' notice of intent to take default because the pertinent rule did not require notice at the time the default was entered. The 2003 version of Rule 55(a)(1) provides "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend . . . and that fact is made to appear by affidavit or otherwise, the court, or the clerk thereof, shall enter default against the party." Idaho R. Civ. P. 55(a)(1). This version of the rule did not contain the present three-day notice requirement for parties who have previously appeared.

The March 19, 2003 default was properly entered. The appellants appeared specially in this matter and made motions to dismiss or strike Bach's complaint under I.R.C.P. 12. The last of these motions was denied on March 4, 2003, and the notice of service on the order indicates that it was served on all parties the same day. The court also noted in a later order that the order denying the last motion to dismiss was served on appellants by fax on March 4, 2003. Under I.R.C.P. 12(a), where a motion is made under rule 12(b) prior to filing a responsive pleading, a responsive pleading must be filed within ten days of the denial of the last rule 12(b) motion in order to avoid default. Idaho R. Civ. P. 12(a). The appellants were explicitly put on notice of the fact that a responsive pleading had to be filed by the court's service of the order denying their motion. *See* Idaho R. Civ. P. 77(d) ("Immediately upon the entry of an order . . . the clerk of the district court . . . shall serve a copy thereof Such [service] is sufficient notice for all purposes for which notice of the entry of an order is required by these rules."). Accordingly, the

appellants' failure to file their answer by March 14, 2003 provided grounds for entry of default by the clerk under I.R.C.P. 12(a) and 55(a)(1); thus, the clerk properly entered default on March 19, 2003.

The district court correctly refused to set aside the default. A defaulted party may petition the court to set aside an entry of default for good cause shown. Idaho R. Civ. P. 55(c). One of the requirements of good cause is the showing of a meritorious defense. *Russell*, 144 Idaho at 62, 156 P.3d at 563; *Hearst Corp. v. Keller*, 100 Idaho 10, 12, 592 P.2d 66, 68 (1979). This requirement is imposed because "[i]t would be an idle exercise for the court to set aside a default if there is in fact no real justiciable controversy." *Id.* Consequently, where no meritorious defense is shown in support of a motion to set aside a default, a court does not abuse its discretion in denying the motion.

While Harris submitted an affidavit in support of the motion to set aside the default, there were no facts alleged in the affidavit that demonstrated a meritorious defense to Bach's claims. The appellants argue that their answer set forth sufficient facts to constitute a meritorious defense, but that pleading was stricken prior to the hearing on the motion to set aside the default and none of those facts were set forth in the affidavit in support of appellants' motion to set aside default. Thus, it could not properly be considered by the district court in ruling on the motion. Furthermore, as this Court has noted, a party may not rely on an ordinary pleading to prove a meritorious defense because "[o]nce a default has been entered the pleading of a defensive matter must go beyond the mere notice requirements that would be sufficient if pled before default." *Hearst Corp.*, 100 Idaho at 12, 592 P.2d at 68. The district court did not abuse its discretion in concluding that appellants had failed to demonstrate a meritorious defense.

While appellants' motion to set aside the default made reference to I.R.C.P. 60, appellants do not appear to have pursued that avenue of relief in the district court and have presented no argument on the issue on appeal. Therefore, we do not address it here.

C.

The Judgment Was Proper

The appellants next argue that even if default was properly entered, the case must be remanded for determination of damages because damages were not proven with reasonable certainty in the district court. We decline to address this issue on appeal because the appellants failed to comply with the Idaho Appellate Rule. This Court will not consider an issue not

“supported by argument and authority in the opening brief.” Idaho App. R. 35(a)(6) (“The argument shall contain the contentions of the appellant with respect to the issues presented on appeal, the reasons therefor, with citations to authorities, statutes and parts of the transcript and the record relied upon.”); *Jorgensen v. Coppedge*, 145 Idaho 524, 528, 181 P.3d 450, 454 (2008). Consequently, to the extent that an assignment of error is not argued and supported in compliance with the I.A.R., it is deemed to be waived. *Suitts v. Nix*, 141 Idaho 706, 708, 117 P.3d 120, 122 (2005). In *Jorgensen*, this Court refused to address an argument concerning an implied agreement when no argument or authority was introduced supporting the proposition. 145 Idaho at 528, 181 P.3d at 454. Similarly, in *Huff v. Singleton*, this Court refused to address several issues on appeal because the appellant simply attempted to get this Court to reweigh the evidence presented to the trier of fact through attacks on the credibility of the evidence. 143 Idaho 498, 500, 148 P.3d 1244, 1246 (2006).

Here, the appellants make a general allegation that damages were not proven to a reasonable certainty. The argument concerning the sufficiency of damages comprises one paragraph that sets forth the standard of review for a damage award, along with a citation to a small portion of the transcript of the hearing to determine damages and the exhibits introduced at that hearing.⁵ This, without more, is insufficient to meet the requirements of I.A.R. 35(a)(6). The contention that no meaningful substantive testimony was presented is not supported by any authority or relevant citations to the record. The contention that the damages were not removed from the realm of speculation is much the same. Appellants’ argument that Bach failed to prove a condition precedent to liability for slander of title misunderstands the nature of a default judgment. As the district court pointed out when the argument was raised below, a defendant in default is not entitled to contest liability for an award of relief, but may present evidence as to the

⁵ The following paragraph constitutes the whole of the appellants’ argument on damages:

Appellants assert that the amount of damages simply was not proven in this matter to any degree of certainty. This Court has held that damages have to proven with reasonable certainty. This requires that they be taken out of the realm of speculation. *See Griffith v. Clear Lakes Trout Co., Inc.*, 143 Idaho 733, 740, 152 P.3d 604, 611 (2007). In the present case, although there was a hearing set for the testimony on February 3, 2004, there was no meaningful substantive testimony given. Plaintiff rested on his exhibits. *See Clerk's Transcript* at p. 1461-1464. Appellants assert that the Affidavits did not contain sufficient facts to take the damages out of the realm of speculation. *See Exhibits* 81-1 to 81-6, 83-86. For example, Plaintiff wholly failed to establish ownership of the real property, which is a prerequisite for an award of damages for slander of title.

amount of damages or nature of other relief sought.⁶ We find that the district court's position is consistent with the language of I.R.C.P. 55(b)(2), which provides that the determination of the sufficiency of evidence required in support of a default judgment is within the discretion of the district court. Idaho R. Civ. P. 55(b)(2).

Accordingly, because the appellants have failed to provide any argument or authority to support their claims, the argument is waived and the judgment of the district court is affirmed.

IV. Conclusion

Because the trial court did not abuse its discretion in refusing to set aside the default and the appellants failed to preserve issues related to the relief granted, the judgment of the district court is affirmed. Costs are awarded to Bach.

Chief Justice EISMANN, and Justices BURDICK, W. JONES and HORTON CONCUR.

⁶ The district court noted in its default judgment that, "Defendants Harris, Scona, Fitzgerald and Lyle personally appeared at the hearing but declined to cross examine Bach or to call any witnesses." Thus, these appellants did have an opportunity to influence the relief made available to Bach in the default judgment but failed to avail themselves of such opportunity.

FILED

MAR 12 2010

TIME: 1:12
TETON CO. ID DISTRICT COURT

Jared M. Harris, Esq.
BAKER & HARRIS
266 West Bridge Street
Blackfoot, Idaho 83221
Telephone: (208) 785-2310
Facsimile: (208) 785-6749
E-mail: jharris@bakerharrislaw.com
Idaho State Bar No. 4488

Attorney for Judgment Creditors by Assignment of Judgment,
Sapient Trading, LLC

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

JOHN N. BACH,

Plaintiff,

vs.

KATHERINE D. MILLER, aka
KATHERINE M. MILLER, Individually &
dba R.E.M., and CACHE RANCH, ALVA A.
HARRIS, Individually & dba SCONA, INC.,
a sham entity, JACK LEE McLEAN, BOB
FITZGERALD, Individually & dba CACHE
RANCH, OLY OLESEN, BOB BAGLEY &
MAE BAGLEY, husband and wife, BLAKE
LYLE, Individually & dba GRANDE
TOWING, and also GRANDE BODY &
PAINT, GALEN WOELK & CODY
RUNYAN, Individually & dba RUNYAN &
WOELK, ANN-TOY BROUGHTON,
WAYNE DAWSON, MARK LIPONIS,
EARL HAMLIN, STAND NICKELL, BRET
& DEENA R. HILL, DOES 1 through 30
Inclusive,

Defendants.

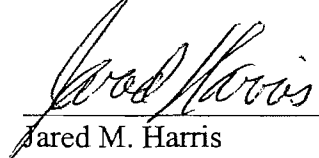
Case No. CV-2002-208

**OBJECTION TO MOTION TO
EXTEND JUDGMENTS**

COMES NOW Jared M. Harris of BAKER & HARRIS, attorney for Wayne Dawson, and hereby objects to Plaintiff, John N. Bach's Request to Renew Judgment. Counsel for Wayne Dawson did not receive any alleged motion allegedly mailed February 2, 2010. Furthermore, Defendant, Wayne Dawson, objects to the what appears to be the Request to Renew Judgment inasmuch as the Judgments are more than six (6) years old, well beyond the 5 years allowed by statute. Specifically, Defendant, Wayne Dawson, objects to the late effort to renew the judgment to the extent it requests a dollar judgment as such is prohibited by Idaho Code 11-105. The judgment against Wayne Dawson was entered on the 23rd day of February, 2004 which is in excess of six years from the date hereof.

Dated this 5th day of March, 2010.

BAKER & HARRIS



Jared M. Harris

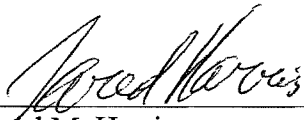
CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of March, 2010, I served a true and correct copy of the following-described document on the attorney listed by the method indicated.

Document Served: **OBJECTION TO ORDER EXTENDING JUDGMENTS**

Attorneys Served:	John N. Bach	<input type="checkbox"/> Hand Delivered
	PO Box 101	<input checked="" type="checkbox"/> Mail
	Driggs, ID 83422	<input type="checkbox"/> Fax
	Alva Harris	<input type="checkbox"/> Hand Delivered
	PO Box 479	<input type="checkbox"/> Mail
	Shelley, ID 83274	<input checked="" type="checkbox"/> Fax
	Fax # 357-3448	

BAKER & HARRIS



Jared M. Harris

FILED

MAY 26 2010

TETON CO., ID
DISTRICT COURT

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF ~~FREMONT~~ TETON

JOHN N. BACH

Plaintiff

CASE NO. CV-2002-0000208

vs.

MINUTE ENTRY

KATHERINE D. MILLER a/k/a KATHERINE
M. MILLER et al.

Defendant

THIS MATTER came before the Court on Tuesday, May 25, 2010, for the purpose of a TELEPHONIC STATUS CONFERENCE, the Honorable Darren B. Simpson, presiding.

Ms. Debby Mace, Deputy Court Clerk, was present. Ms. Sandra Beebe, Court Reporter was present.

Mr. John N. Bach, Pro Se, appeared telephonically on behalf of John N. Bach. Jared M. Harris, Esq., appeared telephonically on behalf of defendant Katherine D. Miller. Alva A. Harris, Esq., appeared telephonically on behalf of defendant Katherine D. Miller.

The Court calls the case.

Mr. Jared Harris has entered an objection re: Sapien Trading. Mr. Bach comments on Mr. Jared Harris not having any interest in the case. Moves to strike any standing Mr. Jared Harris would have in this case.

The Court, for the record will refer to the Harris' as Jared and Alva for purposes of the telephonic hearing.

Jared responds to Mr. Bach's allegations. The Court goes over documents in file. Asks as to 21 day limit on filing. Asks as to rule. Mr. Bach responds his motion was filed timely.

The Court inquires as to Wayne Dawson substitution of counsel. Jared states as to no need to file substitution, has always been on the case.

The Court hears Mr. Bach's motion to renew judgment. The Court will hear objections but if it makes the determination of not appearing appropriate will disregard as to timeliness. Mr. Bacu states he did not receive February 22nd notice.

Alva responds and comments on case on appeal, Dawson Vs Harris, Teton County Case. Comments on ruling by the Court. Has dates for the Court. Did file motion as soon as he received opinion for the Supreme Court. Goes over dates and clerks manuscript.

Jared responds as to statute on Judgment. Feels Judgment should have been renewed within 5 years of when Judgment was entered. Comments on it being improper to renew a Judgment more than 5 years old.

Alva comments on concerns of Default Judgment and Final Judgment. February 11, 2005 the matter became appealable.

The Court will take all issues under advisement and render a decision as soon as possible.

Court was thus adjourned.

DATED this 25th day of May 2010.

/s/

Darren B. Simpson
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a full, true and correct copy of the foregoing **MINUTE ENTRY** was mailed by first-class mail, with pre-paid postage, sent by facsimile, or hand delivered this 25 day of May 2010, to the following:

John N. Bach
P.O Box 101
Driggs, Id. 83422

☒ U.S. Mail ☐ Courthouse Box ☐ Facsimile

Jared M. Harris
266 W. Bridge
Blackfoot, Id. 83221

Alva A. Harris
P.O Box 479
Shelley, Id. 83274

ABBIE MACE, CLERK

By Abbie Mace
for Deputy Clerk

FILED

MAY 20 2010

TETON CO., ID
DISTRICT COURT

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR FREMONT COUNTY
MINUTE ENTRY

STATE OF IDAHO)
Plaintiff,)
Vs.)
)
)
)
Defendant)
_____)

MINUTE ENTRY

JUDGE: DARREN B. SIMPSON
REPORTER: SANDI BEBEE
DATE: MAY 21, 2010
CASE:
CLERK: DEBORAH MACE
HEARING:
ATTORNEY:

DISK 15

126 TETON COUNTY CASE

APPEARING TELEPHONICALLY ARE JARED HARRIS
AND ALVA HARRIS ALSO MR BAUCH
CR2002-208
BAUCH VS MILLER ETAL
MR BAUCH APPEARS PRO SE
SCONA INC, ETC. ALVA HARRIS
JARED HARRIS HAS ENTERED AN OBJECTION SAPIEN TRADING
MR BAUCH COMMENTS ON JARED HARRIS NOT HAVING ANY
INTEREST IN THIS CASE. MOVES TO STRIKE ANY STANDING
MR JARED HARRIS WOULD HAVE IN THIS CASE.
THE COURT FOR THE RECORD WILL REFER TO THE HARRIS' AS
JARED AND ALVA.

JARED RESPONDS TO MR BAUCH'S ALLEGATIONS.

131 MR BAUCH COMMENTS ON TIME LINE ETC.

132 THE COURT INQUIRES AS TO WHAT MR BAUCH MEANS AS TO
JARED HARRIS APPEARING ON BEHALF OF ALVA.
THE COURT READS FROM FILE.

THE COURT ASKS AS TO 21 DAY LIMIT. ASKS AS TO RULE
MR BAUCH STATES HIS MOTION THAT WAS FILED.

THE COURT ASKS JARED AS FAR AS WAYNE DAWSON-SUBST.
OF COUNSEL. JARED STATES NO NEED TO FILE SUBSTITUTION
HAS ALWAYS BEEN IN THIS CASE.

THE COURT HEAR MR BAUCH ON MOTION TO RENEW JUDGMENT
WILL HEAR OBJECTIONS BUT IF MAKES DETERMINATION NOT
APPARING APPROP. WILL DISREGAURD AS TO TIMLENESS WILL
DISREGAURD ALSO.

136 MR BAUCH CONTINUES. STATES HE DID NOT RECEIVE FEB 22

I hereby certify that the above is a true and accurate record of the hearing
minutes.

NOTICE.

137 MR ALVA HARRIS RESPONDS. COMMENTS ON CASE ON APPEAL
DAWSON VS HARRIS. TETON CO CASE. COMMENTS ON RULING BY
THE COURT.
HAS DATES FOR THE COURT. DID FILE MOTION AS SOON AS
HE RECEIVED OPINION FROM SUPREME COURT.
FINAL JUDGMENT ON PAGE VOLUME 9 CLERKS MANUSCRIPT.
DATE OF FILING WAS FEB 11, 2005. ATTENTION PAGES 1507.
MR BAUCH STATES HE WAS TIMLEY.

142 THE COURT RESPONDS. DESPITE APPEAL MR BAUCH STATES HE
IS STILL TIMLEY.

142 JARED RESPONDS. COMMENTS ON STATUTE OF JUDGMENT.
FEELS MR BAUCH SHOULD HAVE RENEWED JUDGMENT WITHIN 5
YEARS OF WHEN JUDGMENT WAS ENTERED.
IMPROPER TO RENEW A JUDGMENT MORE THAN 5 YRS OLD

143 ALVA COMMENTS. CONCERNS OF DEFAULT JUDGMENT AND FINAL
JUDGMENT. FEB 11, 2005 MATTER BECAME APPEALABLE

144 THE COURT COMMENTS.

145 MR BAUCH COMMENTS ON PAGE 2 OF HIS MOTION. COMMENTS
ON RULE 54 AND 54B. STATES HE IS TIMLEY.

148 THE COURT WILL TAKE ISSUES UNDER ADVISEMENT AND WILL
RENDER DECISION AS SOON AS POSSIBLE

AT _____

7/8/10
Darren B. Simpson
DARREN B. SIMPSON
DISTRICT JUDGE

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF IDAHO

IN AND FOR THE COUNTY OF TETON

JOHN N. BACH,

Plaintiff,

vs.

KATHERINE D. MILLER, aka KATHERINE)
M. MILLER, Individually & dba R.E.M. and)
CACHE RANCH; ALVA A. HARRIS,)
Individually & dba SCONA, INC., a sham entity;)
JACK LEE McLEAN; BOB FITZGERALD,)
Individually & dba CACHE RANCH; OLY)
OLESON; BOB BAGLEY & MAE BAGLEY,)
husband and wife; BLAKE LYLE, Individually &)
dba GRANDE TOWING, and also GRANDE)
BODY & PAINT; GALEN WOELK & CODY)
RUNYAN, Individually and dba RUNYAN &)
WOELK; ANN-TOY BROUGHTON; WAYNE)
DAWSON; MARK LIPONIS; EARL HAMLIN;)
STAN NICKELL; BRET & DEENA R. HILL;)
DOES 1 through 30, Inclusive;)

Defendants.)

Case No. CV-2002-208

**ORDER GRANTING PLAINTIFF'S
MOTION TO EXTEND JUDGMENT**

ORIGINAL

I. STATEMENT OF THE CASE

Plaintiff John N. Bach (hereinafter “Bach”) seeks an extension of the Final Judgment entered in this case on February 11, 2005.¹ Defendant Wayne Dawson (hereinafter “Dawson”) objected to Bach’s Motion.² Defendants Alva A. Harris, individually and doing business as SCONA, Inc., Bob Fitzgerald, individually and doing business as Cache Ranch, Oly Olesen, and Blake Lyle, individually and doing business as Grande Towing and also Grande Body & Paint (hereinafter collectively referred to as the “Harris Defendants”), also objected to Bach’s Motion.³ None of the remaining parties to the litigation responded to Bach’s Motion.

Based upon the record in this matter, Bach’s Motion should be granted.

II. ISSUES PRESENTED

Bach seeks to extend the Final Judgment, entered February 11, 2005,⁴ for an additional five (5) years pursuant to Idaho Code § 11-105 and § 11-312.⁵ Dawson argues that the judgment against him was entered on February 23, 2004, more than six years from the date Bach filed his

¹ Plaintiff John N. Bach’s Motion per I.C. 11-105/11-312 for Order of Seventh Judicial District Court, Teton, Granting Leave and Extension of Judgments Entered on February 11, 2005 May be Enforced/Carried Out until February 11, 2015, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed February 2, 2010) (hereinafter “**Bach’s Motion**”).

² Objection to Motion to Extend Judgment, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed March 12, 2010) (hereinafter “**Dawson’s Objection**”).

³ Objection to Motion to Extend Judgments, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed March 15, 2010) (hereinafter the “**Harris Defendants’ Objection**”).

⁴ See: Final Judgment, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed February 11, 2005) (hereinafter the “**Final Judgment**”).

⁵ Bach’s Motion, at p. 1.

Motion.⁶ The Harris Defendants contend that the judgment applicable to them was entered on February 27, 2004, also more than six years before the date Bach filed his Motion.⁷

Based upon the parties' positions, the issues to be determined include:

(1) Which judgment, the default judgments entered against particular parties or the Final Judgment, is entitled to extension under Idaho law?

(2) Is Bach entitled to renewal of the relevant judgment?

III. FINDINGS OF FACT

1. On January 5, 2004, a default judgment was entered against Dawson.⁸ The Default Judgment decreed that Dawson had no title to, or interest in, four (4) pieces of real property in Teton County: the Drawknife 33 acres; the 1 acre on North Highway 33; the 8.5 acres on North Highway 33; and the Peacock 40 acres.⁹ The Default Judgment also awarded Bach damages in the amount of \$5,000.00 against Dawson.¹⁰ The Default Judgment did not include an Idaho Rule of Civil Procedure 54(b) certificate of final judgment.¹¹

⁶ Dawson's Objection, at p. 2.

⁷ Harris Defendants' Objection, at p. 2.

⁸ See: Default Judgment against Wayne Dawson, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed January 5, 2004) (hereinafter the "**Default Judgment against Dawson**"), at p. 1.

⁹ Default Judgment against Dawson, at pp. 3-4.

¹⁰ Default Judgment against Dawson, at p. 4.

¹¹ Default Judgment against Dawson, at pp. 4-5.

2. On February 23, 2004, the Default Judgment against Dawson was amended to include property descriptions of the relevant real estate parcels.¹² The Amended Default Judgment did not include an Idaho Rule of Civil Procedure 54(b) certificate of final judgment.¹³

3. On February 27, 2004, a default judgment was entered against the Harris Defendants¹⁴ and decreed that the Harris Defendants had no title to, or interest in the same four (4) pieces of real property in Teton County: the Drawknife 33 acres; the 1 acre on North Highway 33; the 8.5 acres on North Highway 33; and the Peacock 40 acres.¹⁵ The Default Judgment against the Harris Defendants also awarded Bach money damages in varying amounts against the Harris Defendants,¹⁶ but did not include an Idaho Rule of Civil Procedure 54(b) Certificate.¹⁷

4. On February 11, 2005, a document entitled “Final Judgment” was entered.¹⁸ In that Final Judgment, the Amended Default Judgment against Dawson was described as “interlocutory.”¹⁹ The Final Judgment finalizes the Amended Default Judgment against Dawson.

¹² Amended Default Judgment against Wayne Dawson, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed February 23, 2004) (hereinafter the “**Amended Default Judgment against Dawson**”), at pp. 3-4.

¹³ Amended Default Judgment against Dawson, at pp. 5-6.

¹⁴ Default Judgment against Alva Harris, Scona, Inc., Bob Fitzgerald, Ole Olesen, and Blake Lyle, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed February 27, 2004) (hereinafter the “**Default Judgment against the Harris Defendants**”).

¹⁵ Default Judgment against the Harris Defendants, at pp. 5-6.

¹⁶ Default Judgment against the Harris Defendants, at pp. 6-7.

¹⁷ Default Judgment against the Harris Defendants, at pp. 7-8.

¹⁸ Final Judgment, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed February 11, 2005) (hereinafter the “**Final Judgment**”).

¹⁹ Final Judgment, at p. 2.

5. The Final Judgment also described the Default Judgment against the Harris Defendants as interlocutory²⁰ and adjudged it final.²¹

6. All of the parties' claims in this lawsuit are addressed in the Final Judgment.²²

7. Bach does not premise his Motion upon any aspect of an execution sale of the relevant real estate parcels.²³

IV. APPLICABLE LEGAL PRINCIPLES

1. As a general rule, a final judgment is an order or judgment that ends the lawsuit, adjudicates the subject matter of the controversy, and represents a final determination of the parties' rights.²⁴

2. Pursuant to Idaho Rule of Civil Procedure 54(b) (Rule 54(b)), when there is more than one claim for relief presented in an action or when multiple parties are involved, the court may direct the entry of a final judgment upon one or more but less than all of the claims or parties.²⁵ Rule 54(b) was adopted to overcome the 'single judicial unit theory' which seriously inconvenienced persons involved in multi-party or multiple claim actions by forcing them to await the adjudication of 'the whole case and every matter in controversy in it' before being allowed to appeal.²⁶

²⁰ Final Judgment, at p. 2.

²¹ Final Judgment, at p. 3, ¶ 3.

²² Final Judgment, at pp. 2-4.

²³ See: Bach's Motion.

²⁴ *Watson v. Watson*, 144 Idaho 214, 217, 159 P.3d 851, 854 (2007) [citing: *Camp v. East Fork Ditch Company, Ltd.*, 137 Idaho 850, 867, 55 P.3d 304, 321 (2002)].

²⁵ *Goldman v. Graham*, 139 Idaho 945, 947, 88 P.3d 764, 766 (2004).

²⁶ *Callaghan v. Callaghan*, 142 Idaho 185, 189, 125 P.3d 1061, 1065 (2005) [citing: *Merchants, Inc. v. Intermountain Industries, Inc.*, 97 Idaho 890, 892, 566 P.2d 366, 368 (2005)].

3. A default judgment against one, but not all, parties to a lawsuit is not a final judgment unless it is certified by the trial court to be final as provided in Rule 54(b).²⁷

4. Idaho Code § 11-105 reads:

In all cases other than for the recovery of money the judgment may be enforced or carried into execution after the lapse of five (5) years from the date of its entry, by leave of the court, upon motion, or by judgment for that purpose, founded upon supplemental pleadings.

5. Prior to the adoption of Idaho Code § 10-1111, a money judgment could be renewed only by bringing an action on the judgment within six years after its entry.²⁸ The apparent legislative purpose in adopting Idaho Code § 10-1111 was to create a simpler means of judgment renewal which would not require the commencement of an entirely new action.²⁹

6. Idaho Code § 11-312 permits the revival of a judgment for “failure of title.”³⁰ Under § 11-312, a judgment can be revived if the purchaser fails to recover possession (1) because of an irregularity in the sale proceedings or (2) because the property sold was not subject to execution and sale.³¹

7. Idaho Code § 10-1111 allows the court that entered the final judgment to renew such judgment for an additional five (5) years.³²

²⁷ See: *Wilson v. Bivins*, 113 Idaho 865, 866, 749 P.2d 4, 5 (Ct. App. 1988).

²⁸ *Smith v. Smith*, 131 Idaho 800, 802, 964 P.2d 667, 669 (Ct. App. 1998).

²⁹ *Id.*

³⁰ *Boller v. Sun Valley Shamrock Resources, Inc.*, 119 Idaho 1060, 1065, 812 P.2d 1221, 1226 (Ct.App. 1990)

³¹ *Id.*

³² See generally: *Smith v. Smith*, 131 Idaho at 802, 964 P.2d at 669.

V. ANALYSIS

Dawson and the Harris Defendants maintain that Bach's Motion is untimely, based upon the filing dates of the Amended Default Judgment against Dawson and the Default Judgment against the Harris Defendants. Neither of these documents, however, disposed of all the claims involved in this lawsuit. Instead, the Amended Default Judgment against Dawson adjudicated only Bach's claims against Dawson. The Default Judgment against the Harris Defendants adjudicated only Bach's claims against the Harris Defendants. Neither document appended a certification as a final judgment under Idaho Rule of Civil Procedure 54(b).

In addition, the Final Judgment designates both the Amended Default Judgment against Dawson and the Default Judgment against the Harris Defendants as interlocutory orders. Thus, this Court, the honorable Judge Richard St. Clair presiding, clearly did not intend for either the Amended Default Judgment against Dawson or the Default Judgment against the Harris Defendants to constitute final orders. Accordingly, the record supports a finding that the Final Judgment, dated February 11, 2005, is, indeed, the judgment from which appeal may lie and which may be renewed.

Bach filed his Motion on February 2, 2010, within five years of the filing of the Final Judgment. Although Idaho Code §§ 11-105 and 11-312 do not form bases for renewal of a judgment, Idaho Code § 10-1111 does provide the remedy Bach seeks. The Final Judgment is renewable, per Idaho Code § 10-1111. Bach's Motion shall be granted.

VI. CONCLUSIONS OF LAW

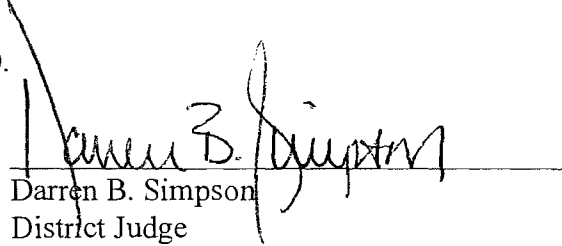
- (1) The Final Judgment is entitled to extension under Idaho law.
- (2) Bach is entitled to renewal of the Final Judgment.

VII. ORDER

Bach's Motion for renewal of judgment is **granted**. The Final Judgment, dated February 11, 2005, is hereby renewed.

IT IS SO ORDERED.

DATED this 8TH day of July 2010.


Darren B. Simpson
District Judge

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on 1/8/10, I served a true copy of the foregoing Order Granting Plaintiff's Motion to Renew Judgment on the persons listed below by mailing, first class, postage prepaid, or by hand delivery.

Jared Harris, Esq.

Baker & Harris

266 W. Bridge

Blackfoot, Idaho 83221

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U.S. Mail

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Anne Toy-Broughton

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MARY LOU HANSEN, Clerk of the Court

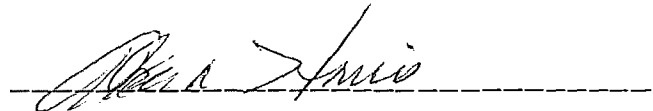
By: *J. Christian*
for Deputy Clerk

or final. Why have a District Judge enter "Judgments" against parties in a multiple party case, as he makes those decisions, if those judgments mean nothing until the Court's final Judgment?

Since the issues of this case are the same as that presented herein by Defendant Wayne Dawson, these parties adopt herein the attached argument presented by attorney Jared M. Harris. See attachment with the alteration of party name and judgment date.

These parties respectfully request this Court to reconsider its Order and Deny Plaintiff's Motion to Renew Judgment as being untimely and without the Jurisdiction of this Court.

DATED this 22th day of July, 2004.



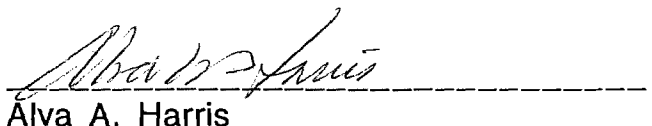
Alva A. Harris

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 22th day of July, 2010, I served a true and correct copy of the forgoing described document on the Plaintiff and attorney's listed below by depositing the same in the United States mail, with the correct postage thereon, in envelopes addressed as follows:

Plaintiff Served: John N. Bach, Pro Se
P. O. Box 101
Driggs, Idaho 83422

Counsel Served: Jared Harris, Esq.
PO Box 577
Blackfoot, Idaho 83221



Alva A. Harris

FILED IN CHAMBERS AT BLACKFOOT,
BINGHAM COUNTY, IDAHO
November 3, 2010
AT *1:58 pm*
Darren B. Simpson
DARREN B. SIMPSON
DISTRICT JUDGE

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

JOHN N. BACH,

Plaintiff,

vs.

KATHERINE D. MILLER, aka KATHERINE
M. MILLER, Individually & dba R.E.M. and

CACHE RANCH; ALVA A. HARRIS,
Individually & dba SCONA, INC., a sham entity;
JACK LEE McLEAN; BOB FITZGERALD,
Individually & dba CACHE RANCH; OLY
OLESON; BOB BAGLEY & MAE BAGLEY,
husband and wife; BLAKE LYLE, Individually &
dba GRANDE TOWING, and also GRANDE
BODY & PAINT; GALEN WOELK & CODY
RUNYAN, Individually and dba RUNYAN &
WOELK; ANN-TOY BROUGHTON; WAYNE
DAWSON; MARK LIPONIS; EARL HAMLIN;
STAN NICKELL; BRET & DEENA R. HILL;
DOES 1 through 30, Inclusive;

Defendants.

Case No. CV-2002-208

ORDER DENYING ORAL ARGUMENT
AND DENYING MOTIONS TO
RECONSIDER

I. STATEMENT OF THE CASE

On July 8, 2010, this Court entered an Order granting John N. Bach's (hereinafter "Bach") motion to renew the judgment entered in this case.¹ On July 23, 2010, Defendant Wayne Dawson and Defendants Alva A. Harris, individually and doing business as SCONA, Inc., Bob Fitzgerald, individually and doing business as Cache Ranch, and Blake Lyle, individually and doing business as Grande Towing and also Grande Body & Paint, requested that this Court reconsider its Order of July 8, 2010.² Bach responded on August 2, 2010.³ Although a separate notice of hearing was issued, none of the parties requested a hearing within their respective motions.

II. ISSUES PRESENTED

The issues before this Court are:

1. Whether the Court should reconsider its Order of July 8, 2010 and deny Bach's motion to renew judgment or extend the Final Judgment.
2. Whether this Court should issue sanctions against the defendants.
3. Whether this Court should strike the defendants' motions.

III. FINDINGS OF FACT

The Court made a determination of the relevant facts pertaining to the issue presented in this matter in its Order of July 8, 2010. Those facts are adopted herein by reference, as if set

¹ Order Granting Plaintiff's Motion to Extend Judgment, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed July 8, 2010) (hereinafter the "Order of July 8, 2010").

² Motion to Reconsider Order Granting Motion to Extend Judgment, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed July 23, 2010); Motion to Reconsider Order Granting Motion to Extend Default Judgment Entered February 27, 2004, *Bach v. Miller*, Teton County case no. CV-2002-208 (filed July 23, 2010) (collectively referred to as "defendants' motions").

³ Plaintiff John N. Bach's Motion to Strike, Objections to & Opposition to Without Standing Attorneys Sapient Trading, LLC, and All Defendants, Purportedly represented by Jared M. Harris and Alva A. Harris; and Motion for Sanctions, IRCP, Rule 11(a) (b)(1) 7 (2) & Rule 1, et. al., *Bach v. Miller*, Teton County case no. CV-2002-208 (filed August 2, 2010).

forth in full. No new facts or other evidence has been submitted for this Court's determination. None of the parties requested oral argument within their respective motions.

IV. APPLICABLE LEGAL PRINCIPLES

1. A motion for reconsideration of any order made after entry of a final judgment may be filed within fourteen (14) days from the entry of such order.⁴

2. When motions are made, the moving party *must* indicate upon the face of the motion whether the party desires to present oral argument on the motion.⁵

3. If a moving party does not request oral argument upon the motion, the court may deny such motion without notice if the court deems the motion has no merit.⁶ In addition, even if oral argument is requested, the court, in its discretion, may deny oral argument.⁷

4. All other legal principals set forth in this Court's Order of July 8, 2010 are incorporated herein by reference, as if set forth in full.

V. ANALYSIS

1. Defendants' Motions Should be Denied.

Although the defendants' motions are more detailed than the defendants' initial objections to Bach's motion to renew judgment, the defendants' motions to reconsider simply reiterate the oral arguments made by the parties on Bach's motion to renew judgment. There are no new facts or evidence made within the defendants' motions and the arguments made in those motions were dealt with in this Court's Order of July 8, 2010. Therefore, this Court finds that

⁴ Rule 11(a)(2)(B), IRCP. The rule prohibits motions to reconsider in certain circumstances; none of which apply in this case.

⁵ Rule 7(b)(3)(C), IRCP.

⁶ Rule 7(b)(3)(D), IRCP.

⁷ Id.

the defendants' motions to reconsider are without merit and do not require further argument. Furthermore, the defendants' motions should be denied.

2. Bach's Motions Should be Denied.

Based upon this Court's denial of the defendants' motions, Bach's motion to strike is rendered moot. Bach's motion for sanctions is unsupported by any factual allegations giving rise for the need of issuing sanctions against the defendants. Therefore, Bach's motion for sanctions is denied.

VI. CONCLUSIONS OF LAW

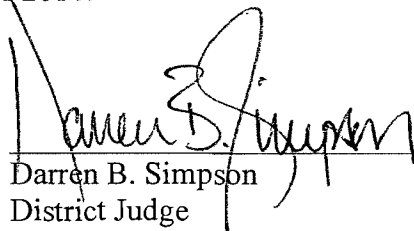
1. The defendants' motions are denied.
2. Bach's motion for sanctions is denied.
3. Bach's motion to strike is denied as moot.

VII. ORDER

The defendants' motions are **denied**. Bach's motion to strike and for sanctions are denied.

IT IS SO ORDERED.

DATED this 3rd day of November 2010.



Darren B. Simpson
District Judge

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on 11/3/2010, I served a true copy of the foregoing
ORDER DENYING ORAL ARGUMENT AND DENYING MOTIONS TO RECONSIDER on
the persons listed below by mailing, first class, postage prepaid, or by hand delivery.

Jared Harris, Esq.
Baker & Harris
266 W. Bridge
Blackfoot, Idaho 83221

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Anne Toy-Broughton
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☒ U.S. Mail

☐ Courthouse Box

☐ Facsimile

MARY LOU HANSEN, Clerk of the Court

By: 
Deputy Clerk

Jared M. Harris, Esq.
BAKER & HARRIS
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FILED
DEC 15 2010
11:24 AM
TETON CO. ID DISTRICT COURT

Attorney for Wayne Dawson

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

JOHN N. BACH,

Plaintiff/Respondent,

vs.

KATHERINE D. MILLER, aka
KATHERINE M. MILLER, Individually &
dba R.E.M., and CACHE RANCH, ALVA A.
HARRIS, Individually & dba SCONA, INC.,
a sham entity, JACK LEE McLEAN, BOB
FITZGERALD, Individually & dba CACHE
RANCH, OLY OLESEN, BOB BAGLEY &
MAE BAGLEY, husband and wife, BLAKE
LYLE, Individually & dba GRANDE
TOWING, and also GRANDE BODY &
PAINT, GALEN WOELK & CODY
RUNYAN, Individually & dba RUNYAN &
WOELK, ANN-TOY BROUGHTON,
WAYNE DAWSON, MARK LIPONIS,
EARL HAMLIN, STAND NICKELL, BRET
& DEENA R. HILL, DOES 1 through 30
Inclusive,

Defendants/Appellants.

Case No. CV-2002-208

NOTICE OF APPEAL

TO: THE ABOVE NAMED RESPONDENT, JOHN N. BACH AND THE CLERK OF THE
ABOVE ENTITLED COURT

NOTICE IS HEREBY GIVEN THAT:

1. The above named Appellant, Wayne Dawson, appeals against the above named Respondent to the Idaho Supreme Court from Seventh Judicial District Court of the State of Idaho, Order Granting Motion To Renew Judgment entered in the above entitled action on the 8th day of July, 2010, Honorable Judge Darren B. Simpson, presiding. Appellants Motion to Reconsider was denied by the Courts Order on the 3rd day of November, 2010.

2. That the party has a right to appeal to the Idaho Supreme Court, and the judgments or orders described in paragraph 1 above are appealable orders under and pursuant to Idaho Appellate Rule 11(a)(7).

3. The issue on appeal is whether the District Court committed errors of law in its granting the Motion to Renew Judgment more than five years after the Judgment against Wayne Dawson was entered.

4. A reporter's transcript is not requested.

5. The Appellant requests the following documents to be included in the clerk's record in addition to those automatically included under Rule 28, I.A.R.

- a. Amended Judgment against Wayne Dawson on the 11th day of February, 2005.
- b. Respondent's Motion to Renew Judgment.
- c. Appellant's Objection to Motion to Extend Judgment.
- d. Order Granting Motion To Renew Judgment.
- e. Appellant's Motion to Reconsider.

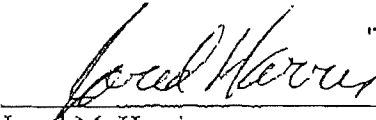
f. Order Denying Oral Argument and Denying Motions To Reconsider.

6. I certify:

- a. That a copy of this Notice of Appeal has been served on the reporter:
- b. That the Clerk of the District Court has not been paid the estimated fee because no reporter's transcript is requested.
- c. That the estimated fee for preparation of the clerk's record has been paid.
- d. That the appellate filing fee has been paid.
- e. That service has been made upon all parties required to be served pursuant to Rule 20.

Dated this 15th day of December, 2010.

BAKER & HARRIS



Jared M. Harris

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of December, 2010, I served a true and correct copy of the following-described document on the attorney listed by the method indicated.

Document Served: **NOTICE OF APPEAL**

Attorneys Served:	John N. Bach	<input type="checkbox"/> Hand Delivered
	PO Box 101	<input checked="" type="checkbox"/> Mail
	Driggs, ID 83422	<input type="checkbox"/> Fax
	Alva Harris	<input type="checkbox"/> Hand Delivered
	PO Box 479	<input checked="" type="checkbox"/> Mail
	Shelley, ID 83274	<input type="checkbox"/> Fax
	Ann-Toy Broughton	<input type="checkbox"/> Hand Delivered
	1054 Rammell Mountain Rd	<input checked="" type="checkbox"/> Mail
	Tetonia, ID 83452	<input type="checkbox"/> Fax
	Galen Woelk	<input type="checkbox"/> Hand Delivered
	Aaron Hennig & Woelk	<input type="checkbox"/> Mail
	221 E Ivinson Street	<input checked="" type="checkbox"/> Fax
	Laramie, WY 82070-3006	
	C. Timothy Hopkins	<input type="checkbox"/> Hand Delivered
	HOPKINS RODEN CROCKETT	<input type="checkbox"/> Mail
	HANSEN & HOOPES, PLLC	<input checked="" type="checkbox"/> Fax
	PO Box 51219	
	Idaho Falls, ID 83405	
	Hyrum D. Erickson	<input type="checkbox"/> Hand Delivered
	RIGBY ANDRUS RIGBY, CHTD.	<input type="checkbox"/> Mail
	25 North Second East	<input checked="" type="checkbox"/> Fax
	Rexburg, ID 83440	
	Jason D. Scott	<input type="checkbox"/> Hand Delivered
	HAWLEY TROXELL ENNIS &	<input type="checkbox"/> Mail
	HAWLEY	<input checked="" type="checkbox"/> Fax
	PO Box 1617	
	Boise, ID 83701-1617	

BAKER & HARRIS



Jared M. Harris

In the Supreme Court of the State of Idaho

JOHN N. BACH,

Plaintiff-Respondent.

v.

WAYNE DAWSON,

Defendant-Appellant,

and

KATHERINE D. MILLER, aka KATHERINE
M. MILLER, individually & dba R.E.M. and
CACHE RANCH; ALVA A. HARRIS,
individually & dba SCONA, INC., a sham
entity; JACK LEE MC LEAN; BOB
FITZGERALD, individually & dba CACHE
RANCH; OLY OLESON; BOB BAGLEY &
MAE BAGLEY, husband and wife; BLAKE
LYLE, individually & dba GRANDE
TOWING, and also GRANDE BODY &
PAINT; GALEN WOELK & CODY
RUNYAN, individually and dba RUNYAN &
WOELK; ANN-TOY BROUGHTON; MARK
LIPONIS; EARL HAMLIN; STAN
NICKELL; BRET & DEENA R. HILL; DOES
1 through 30, inclusive,

Defendants.

ORDER AUGMENTING APPEAL

Supreme Court Docket No. 38380-2010

Teton County Docket No. 2002-208

A Clerk's Record and Reporter's Transcript was filed April 21, 2008, in appeal No. 31717, Bach v. Bagley; therefore, good cause appearing,

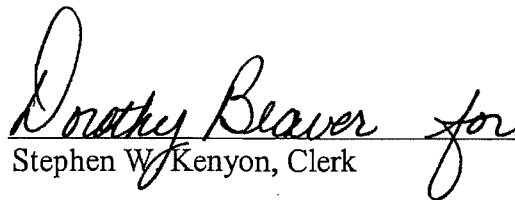
IT HEREBY IS ORDERED that the Appeal Record in this case shall be AUGMENTED to include the Reporter's Transcript and Clerk's Record filed in prior appeal No. 31717.

IT FURTHER IS ORDERED that the District Court Clerk shall prepare and file a

LIMITED CLERK'S RECORD with this Court, which shall contain the documents requested in the Notice of Appeal, together with a copy of this Order, but shall not duplicate any document included in the Clerk's Record filed in prior appeal No. 31717. The LIMITED CLERK'S RECORD shall be filed with this Court after settlement. Further, the exhibits submitted in prior appeal No. 31717, which were returned to District Court on May 18, 2010, are not covered by this Order and they will not be sent to the Supreme Court unless specifically requested by the parties. The party requesting any or all of the prior exhibits must specifically designate those exhibits being requested.

DATED this 23rd day of December 2010.

For the Supreme Court


Stephen W. Kenyon, Clerk

cc: Counsel of Record
District Court Clerk

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

JOHN N. BACH)	
)	
Plaintiff-Respondent)	Supreme Court No. 38380-2010
)	
- vs -)	TETON COUNTY CASE NO.
)	CV 02-208
)	
WAYNE DAWSON)	
)	
Defendant-Appellant.)	
)	CERTIFICATE OF EXHIBITS
and)	
)	
KATHERINE D. MILLER aka KATHERINE M.)	
MILLER, individually and dba R.E.M. and)	
CACHE RANCH; ALVA A. HARRIS,)	
individually & dba SCONA, INC, a sham)	
entity; JACK LEE McLEAN; BOB)	
FITZGERALD, individually and dba CACHE)	
RANCH; OLE OLESON; BOB BAGLEY and)	
MAE BAGLEY, husband and wife;)	
BLAKE LYLE, individually and dba GRAND)	
TOWING, and also GRANDE BODY AND)	
PAINT; GALEN WOELK and CODY)	
RUNYAN, individually and dba RUNYAN &)	
WOELK; ANN-TOY BROUGHTON)	
MARK LIPONIS; EARL HAMBLIN; STAN)	
NICKELL; BRET & DEENA R. HILL; and)	
DOES 1 through 30, Inclusive.)	
)	
Defendants)	

I, Phyllis A. Hansen, Deputy Clerk of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Teton, do hereby certify that there were no exhibits which were marked for identification or admitted into evidence during the course of this action covered by this appeal.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the
said Court this 14 day of January, 2011.

Mary Lou Hansen

by Phyllis A. Hansen
Phyllis A. Hansen, Deputy

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

JOHN N. BACH

Plaintiff-Respondent

- vs -

WAYNE DAWSON

Defendant-Appellant.

and

KATHERINE D. MILLER aka KATHERINE M.
MILLER, individually and dba R.E.M. and
CACHE RANCH; ALVA A. HARRIS,
individually & dba SCONA, INC, a sham
entity; JACK LEE McLEAN; BOB
FITZGERALD, individually and dba CACHE
RANCH; OLE OLESON; BOB BAGLEY and
MAE BAGLEY, husband and wife;
BLAKE LYLE, individually and dba GRAND
TOWING, and also GRANDE BODY AND
PAINT; GALEN WOELK and CODY
RUNYAN, individually and dba RUNYAN &
WOELK; ANN-TOY BROUGHTON
MARK LIPONIS; EARL HAMBLIN; STAN
NICKELL; BRET & DEENA R. HILL; and
DOES 1 through 30, Inclusive.

Defendants

Supreme Court No. 38380-2010

TETON COUNTY CASE NO.
CV 02-208

CERTIFICATE OF SERVICE

I, Phyllis A. Hansen, deputy clerk of the District Court of the Seventh Judicial District of the State of Idaho, in and for Teton County, do hereby certify that I have personally served or mailed, by United States mail, postage prepaid, one copy of the Clerk's Record and any Reporter's Transcript to each of the parties or their attorney of record as follows:

John N. Bach, Pro Se
PO Box 010
Driggs, Idaho 83422

Marvin N. Smith, Esq.
591 Park Ave, Suite 202
Idaho Falls, Idaho 83402

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the
said court this 14 day of January, 2011.

Mary Lou Hansen

By: Phyllis A. Hansen
Phyllis A. Hansen, Deputy

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

JOHN N. BACH

Plaintiff-Respondent

- vs -

WAYNE DAWSON

Defendant-Appellant.

and

KATHERINE D. MILLER aka KATHERINE M. MILLER, individually and dba R.E.M. and CACHE RANCH; ALVA A. HARRIS, individually & dba SCONA, INC, a sham entity; JACK LEE McLEAN; BOB FITZGERALD, individually and dba CACHE RANCH; OLE OLESON; BOB BAGLEY and MAE BAGLEY, husband and wife; BLAKE LYLE, individually and dba GRAND TOWING, and also GRANDE BODY AND PAINT; GALEN WOELK and CODY RUNYAN, individually and dba RUNYAN & WOELK; ANN-TOY BROUGHTON MARK LIPONIS; EARL HAMBLIN; STAN NICKELL; BRET & DEENA R. HILL; and DOES 1 through 30, Inclusive.

Defendants

Supreme Court No. 38380-2010

TETON COUNTY CASE NO.
CV 02-208

CLERK'S CERTIFICATE

I, Phyllis A. Hansen, Deputy Clerk of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Teton, do hereby certify that the above and foregoing record in the above-entitled cause was compiled and bound under my direction as, and is a true, full and correct record of the pleadings and documents under Rule 28 of the Idaho Appellate Rules.

I do further certify that all documents, charts and pictures requested in the above entitled cause will be duly lodged with the Clerk of the Supreme Court along with the Court Reporter's Transcripts and Clerk's Record as required by Rule 31 of the Idaho Appellate Rules.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 14 day of January, 2011.

Mary Lou Hansen

by Phyllis A. Hansen
Phyllis A. Hansen, Deputy