IN THE SUPREME COURT OF THE STATE OF MONTANA
No. _____

WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC., CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES, and THOMPSON FALLS CONGREGATION OF JEHOVAH'S WITNESSES,

Petitioners,

v.

MONTANA TWENTIETH JUDICIAL DISTRICT COURT, SANDERS COUNTY, and THE HONORABLE JAMES A. MANLEY, PRESIDING JUDGE,

Respondents.

PETITION FOR WRIT OF SUPERVISORY CONTROL AND MOTION FOR STAY OF PROCEEDINGS

On Petition from the Nineteenth Judicial District Court,
Sanders County, Montana
Cause No. DV 16-84
Honorable James A. Manley, Presiding

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I. INTRODUCTION

Petitioners, Watchtower Bible and Tract Society of New York, Inc. ("Watchtower"), Christian Congregation of Jehovah's Witnesses ("CCJW"), and Thompson Falls Congregation ("Congregation") ("Petitioners") petition the Court under Montana Rule of Appellate Procedure 14 for a Writ of Supervisory Control to correct erroneous decisions directing the parties to proceed to trial under multiple mistakes of law.

By rulings on August 21 and 30, 2018 the District Court impaired Petitioners' right to trial by jury. *See* App. A: Order Granting Mot. Partial Summ. J., Aug. 21, 2018; App. B: Order Denying Defs.' Mot. Partial Summ. J., Aug. 30, 2018; App. C: Order Granting Pl. Alexis Nunez's Mot. Partial Summ. J., Aug. 30, 2018. The rulings removed causation from the jury and ordered Plaintiffs to proceed to damages. Trial begins September 24, 2018.

The District Court ignored the need to have the jury find whether Petitioners' alleged agents *caused* Plaintiffs' injuries. The orders assumed that all facts, including some in dispute, apply to all Defendants even though one Defendant did not exist in 1998 when a tortious act was purportedly committed. The District Court usurped the jury's role in resolving issues of fact about the relationship between a nonparty and each Defendant, and attached liability to Defendants for the non-party's act.

Petitioners also move this Court to immediately stay the trial under Montana Rule of Appellate Procedure 14(7)(c) pending disposition of this Petition.

II. OVERVIEW AND FACTS SUPPORTING JURISDICTION

Plaintiffs were abused by family members for years but have only sued religious entities of Jehovah's Witnesses because Congregation elders did not report. App. D: 6th Found. Aff. Kathleen L. DeSoto ¶ 6, June 25, 2018, Ex. D-5; App. E: 1st Amend. Compl. ¶ 47(f), Nov. 14, 2016. Disputed questions of fact remain regarding what, when and how information was available to elders, and what, when and how elders provided information to CCJW and/or Watchtower.

Watchtower, a New York corporation, was formed in the early 1900's to own property, publish religious literature, and communicate with Jehovah's Witnesses congregations in the United States. App. F: Decl. D. Chappel ¶¶ 5-9, Apr. 18, 2018. CCJW, another New York corporation, began operating in 2001. App. F, ¶¶ 6-7, 10 & 17. CCJW took on some of Watchtower's operations, including communicating with congregations in the United States. App. F, ¶¶ 17 & 28.

Congregation is a local congregation of Jehovah's Witnesses. App. E, ¶ 6. It has a body of lay volunteer elders who perform duties that ministers

perform in other religions. App. F, ¶¶ 26-31. Congregation elders in Montana are subject to Montana's mandated reporter laws and are also subject to the confidential communications exception to that same body of law.

Plaintiff Holly McGowan was associated with Congregation (App. E, ¶ 31), Plaintiff Alexis Nunez was not (App. D, Ex. D-4 at 53:23-25) when they claim they were molested as minors by Max Reyes, McGowan's stepfather and Nunez' step-grandfather. App. E, ¶ 32. McGowan claims she told Congregation elders in 1998 that her stepfather was molesting her. App. E, ¶ 33. That report is disputed. App. G: Answer, Demand Jury Trial & 3d-Party Compl. ¶ 34, Feb. 27, 2017. Without dispute, in 2004, during an internal process that Jehovah's Witnesses consider confidential, Congregation elders learned that Reyes was accused of abusing two of his stepchildren (Holly and Peter). App. G, ¶ 33; App. D, Ex. B-4 at 50:2-25.

Plaintiffs claim and Petitioners dispute that Congregation elders were agents of Watchtower and CCJW. App. E, ¶¶ 7 & 23; App. G. ¶¶ 8 & 24. Plaintiffs also claim and Petitioners dispute that in 1998 and in 2004 elders who are not parties to this lawsuit, plus Congregation, Watchtower and CCJW, were mandatory reporters under Montana's reporting statute.[1] Plaintiffs do not allege

[1] App. E, ¶¶ 51-53; App. G, ¶¶ 52-54 & 6th Affirmative Def.

that the elders or any member of Watchtower or CCJW abused them; their claim is that Petitioners did not report.

Petitioners filed Third-Party Complaints against Ivy McGowan, Max Reyes and Marco Nunez, alleging that each was liable for Plaintiffs' damages, seeking contribution. App. H: 1st Amend. 3d-Party Compl., Mar. 5, 2018.

The District Court issued several rulings severely limiting Petitioners' abilities to defend themselves against Plaintiffs' allegations. On August 21, 2018, the District Court granted Plaintiffs' Motion for Partial Summary Judgment on Defendants' Third-Party Claims Against Max Reyes and Marco Nunez and Defendants' Third Affirmative Defense. The Court directed Petitioners to file a separate contribution action against Reyes and Nunez. App. A.

The Court issued two orders on August 30, 2018, denying Petitioners' Motion for Partial Summary Judgment on Claims by Alexis Nunez or, in the Alternative, Motion for Summary Adjudication of Individual Claims (App. B) and granted Plaintiff Nunez's Motion for Partial Summary Judgment on Defendants' Fourth Affirmative Defense and Cross Motion for Summary Judgment as to Foreseeability of Max Reyes's Abuse (App. C). In these orders, the District Court resolved most disputed facts as matters of law, and directed Alexis to proceed to damages against all Defendants, with Holly following if

she proves two facts. The Court absolved Plaintiffs of their obligation to prove causation, contrary to Montana law.

III. STATEMENT OF ISSUES

A. Whether the District Court erred in holding as a matter of law that establishing negligence per se absolved Plaintiffs of establishing causation?

B. Whether the District Court erred by ruling, by omission, that Petitioners were not entitled to raise statute of limitations against McGowan?

C. Whether the District Court erred in finding agency between Congregation elders and CCJW and Watchtower?

D. Whether the District Court erred in finding CCJW and Watchtower mandatory reporters?

E. Whether the District Court erred in not applying the statutory exception for confidential communications?

F. Whether the District Court erred in dismissing third party claims against Reyes and Nunez, requiring Petitioners to file separate claims?

IV. ARGUMENT AND AUTHORITIES

A. The Court Has Legal Authority to Grant the Writ.

The Montana Constitution gives the Supreme Court power to assume control of a trial court and direct the course of litigation. Mont. Const. art. VII,

§ 2(2); Mont. R. App. P. 14(1) & (3). Pursuant to Montana Rule of Appellate Procedure 14(3):

> Supervisory control is an extraordinary remedy and is sometimes justified when urgency or emergency factors exist making the normal appeal process inadequate, when the case involves purely legal questions, and when one or more of the following circumstances exist:
>
> (a) The other court is proceeding under a mistake of law and is causing a gross injustice . . . .

Mont. R. App. P. 14(3)(a).

Although a writ of supervisory control is an extraordinary remedy, the Supreme Court has wide latitude to intervene and control the course of litigation. *Plumb v. Fourth Jud. Dist. Court*, 279 Mont. 363, 369, 927 P.2d 1011, 1015 (1996), *superseded on other grounds*.

When the exigency of the case renders the ordinary remedy of appeal inadequate, the summary appeal by writ of supervisory control is available. *State ex rel. Tillman v. Dist. Court*, 101 Mont. 176, 180, 53 P.2d 107, 109 (1936). In such instance, "the denial of a speedy remedy by supervisory control would be a denial of justice." *Plumb*, 927 P.2d at 1016. A writ is particularly warranted where, as here, decisions of the District Court prejudice the entire proceedings and place a party at significant disadvantage in making or

defending its case. *Preston v. Mont. Eighteenth Jud. Dist. Court*, 282 Mont. 200, 206, 936 P.2d 814, 817-18 (1997).

B. The District Court Is Proceeding Under a Mistake of Law, Ruling That Per Se Negligence Subsumes Causation and Foreseeability and Forecloses Valid Affirmative Defenses.

Rule 14 specifies that supervisory control is appropriate when "[T]he other court is proceeding under a mistake of law." Mont. R. App. P. 14(3)(a).

1. The District Court Erred by Ruling That Negligence Per Se Removes Causation from the Fact-Finder.

In Appendix B, the District Court ruled that, "[r]egarding the report in 2004 . . . Defendants failed to report as mandated by Mont. Code Ann. § 41-3-201(2)(h). Defendants are liable . . . as a matter of law. The question left to the jury is what is the appropriate amount of damages to award Alexis Nunez." App. B at 3.

The mistake in that conclusory statement is consistent with the simultaneous Order on foreseeability "as it relates to causation." App. C at 2. The District Court confused the issues of breach of duty (which may be established by finding negligence *per se*), and causation, which remains a fact issue. The District Court usurped the fact-finder's job by ruling on the foreseeability element of causation, and determined that by violating the reporting statute, Petitioners are deemed to have foreseen that Max would abuse his out-of-state step-granddaughter Alexis:

> Where a statute creates a duty, there can still be an issue in determining breach (or sometimes discussed in the context of causation) due to an unforeseen intervening event. This can have the effect of severing the chain of events for causal determination. This is discussed thoroughly in *Prindel v. Ravalli County*, 2006 MT 62, ¶¶ 38-45, 331 Mont. 338, 133 P.3d 165.
>
> In this case, the statute created a duty and negligence per se is established by the five factors set out in paragraph 27, *Prindel, supra*. The plaintiffs were members of the class sought to be protected by the statute, and the perpetrators and harm were exactly what was sought to be protected against. Foreseeability is thereby established by the statute.

App. C at 2.

These rulings erroneously subsume causation into negligence *per se* in derogation of *Giambra v. Kelsey*, 2007 MT 158, ¶ 46, 338 Mont. 19, 162 P.3d 134. The difference between ordinary negligence and negligence *per se* does not remove causation issue from a jury:

> [t]he effect of such a rule [negligence per se] is to stamp the defendant's conduct as negligence, with all of the effects of common law negligence, but with no greater effect. There will still remain open such questions as the causal relationship between the violation and the harm to the plaintiff . . . ."

Giambra, ¶ 46 (brackets in original).

Montana Code Annotated § 41-3-207 recognizes that breach of the statute is but one step in liability. That the violation *proximately caused*

plaintiff's damages is the next step: "Any person, official or institution required by law to report known or suspected child abuse or neglect who fails to do so or who prevents another person from reasonably doing so is civilly liable for the damages proximately caused by such failure or prevention." Mont. Code Ann. § 41-3-207(1) (emphasis added). As this Court explained in *Giambra*, "if the defendant's conduct [violating the statute] did not cause the alleged damages, the plaintiff's claim must fail as a matter of law." *Giambra*, ¶ 53 (quoting *Schwabe v. Custer's Inn Assocs.*, 2000 MT 325, ¶ 27, 303 Mont. 15, 15 P.3d 903).

Negligence requires proof of four elements: (1) duty; (2) breach of duty; (3) causation; and (4) damages. *United States Fid. & Guar. Co. v. Camp*, 253 Mont. 64, 68, 831 P.2d 586, 589 (1992). One's negligence *per se* determines only the first two elements – duty and breach – leaving for jury determination causation and damages. A decision of causation as a matter of law based solely on a statutory violation is inconsistent with Montana law. *See e.g. Schwabe*, ¶ 27; *Martel v. Mont. Power Co.*, 231 Mont. 96, 103, 752 P.2d 140, 145 (1988).

The trial court cannot remove causation from the jury any more than it can damages. *VanLuchene v. State*, 244 Mont. 397, 401, 797 P.2d 932, 935 (1990). *See also Chambers v. City of Helena*, 2002 MT 142, ¶ 32, 310 Mont.

241, 49 P.3d 587 (emphasis added) (a negligence per se finding removes factual decisions "other than causation or damages").

Since reasonable minds can differ, the proximate cause issue is for the jury.

2. The District Court Erred in Ruling That Negligence Per Se Subsumes Foreseeability.

Foreseeability can also be independent of negligence *per se*. An intervening criminal act of a third party like Max Reyes requires two separate foreseeability analyses. "[F]irst, with regard to the existence of a legal duty [an issue resolved by the determination of negligence *per se*] and second, with regard to proximate causation . . . . In analyzing foreseeability in the context of proximate cause, we are concerned with whether and to what extent the defendant's conduct foreseeably and substantially caused the injury sustained by the plaintiff." *Samson v. State*, 2003 MT 133, ¶ 22, 316 Mont. 90, 69 P.3d 1154 (internal quotations and citations omitted).

As explained in *Prindel v. Ravalli County*, 2006 MT 62, ¶ 39, 331 Mont. 338, 133 P.3d 165:

> The particular accident that ensues, however, need not be foreseen. *Ekwortzel v. Parker* (1971), 156 Mont. 477, 483, 482 P.2d 559, 562-63. In *Lopez*, we held that the Great Falls Pre-Release Center owed a duty of reasonable care to protect *community members* from being harmed by an inmate in its custody,

> notwithstanding the fact that he had been incarcerated for non-violent property offenses. *Lopez*, ¶¶ 5, 31.

Prindel, ¶ 39 (emphasis added).

Unlike the plaintiff in *Prindel*, to whom a duty was owed, Alexis was not "a community member" because she resided in Nebraska with her mother, Ivy, who knew that Reyes had been accused of abusing Ivy's sister Holly.[2] Ivy testified that Holly told elders in 1998 that Reyes had abused Holly[3] and that in 2004 or 2005 when her brother, Peter, left home she knew about allegations of child abuse against Reyes.[4] Ivy knew better than anyone the harm Reyes could do to her daughter Alexis.

Neither the elders nor the Petitioners could have reasonably foreseen that Ivy would deliver Alexis to a molester and hope for the best. As part of proximate cause, the jury must hear the evidence and determine foreseeability.

3. The District Court's Determination That Liability Flows from Negligence *Per Se* Removes Petitioners' Statute of Limitations Defense.

The District Court's analysis of negligence *per se* fails to mention Petitioners' Limitations defense to Holly's claims. Although the Order does not resolve Holly's claim, the Court's ruling directs her to proceed to damages

[2] App. D at Ex. B-6.

[3] App. D at Ex. C-3.

[4] App. D at Ex. C-8.

against all Defendants if the jury finds that (a) Holly told Don Herberger about abuse in 1998 and (b) Herberger was then an elder. App. A at 2. The Court thus ruled by implication against the Limitations defense by the finding of negligence *per se*. That ruling contravenes *Giambra*, that affirmative defenses survive a finding of negligence *per se*.

Limitations cannot be decided as a matter of law because the question is for the jury when there is conflicting evidence. *Werre v. David*, 275 Mont. 376, 913 P.2d 625, 630 (1996); *Cosgriffe v. Cosgriffe*, 262 Mont. 175, 182, 864 P.2d 776, 780 (1993). Ample evidence supports Petitioners' Limitations defense, and the jury should hear it.

C. The District Court's Finding of Agency as a Matter of Law Is Mistaken.

The District Court ruled, elders received information about Reyes' child abuse in 2004, and ruled that as members of the clergy, elders are "agents of Defendants." App. B at 3. The orders do not explain the scope of the agency or whether the agency was actual or ostensible between Congregation elders and each corporation. Mont. Code Ann. § 28-10-103(1).

By reciting no facts determining why third persons reasonably believed that agency existed, the District Court determined that elders are actual agents of all Petitioners. Montana Code Annotated § 28-10-103 defines actual agents

as "really employed by the principal." Petitioners raised a genuine issue of fact whether the elders were "really employed by" them.

CCJW began operations in 2001.[5] It could not have employed elders in 1998 when Holly claims she told Herberger that Reyes had abused her. App. B at 2. In 2001 CCJW assumed some former Watchtower tasks, including communicating with local congregations.[6] No facts show that after 2001 Watchtower employed any elders, who were not agents of Watchtower in 2004 when they learned of allegations against Reyes.

Determining agency involves an analysis that cannot be resolved on summary judgment when disputed facts exist about the purported principal's right to control details, methods, or means of accomplishing the individual's work. *Fandrich v. Capital Ford Lincoln Mercury*, 272 Mont. 425, 430, 901 P.2d 112, 115 (1995).

Petitioners do not dispute that Congregation elders were agents of Congregation in 1998 or in 2004. But CCJW did not exist in 1998, Herberger was not then an elder, and neither CCJW nor Watchtower paid wages or had the right to fire an elder.[7] Because the jury must resolve issues of fact on agency,

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[5] App. F, ¶ 17.

[6] App. F, ¶¶ 10, 17.

[7] App. F, ¶¶ 27-28.

the Court ruled erroneously that all Defendants are jointly liable for the elders' acts or omissions.

Plaintiffs argue that elders are Watchtower's (and after 2001, CCJW's) agents because they sent letters acknowledging that elders had been appointed, and because they provided guidance to elders on how to carry out their tasks.[8] That guidance is similar to *Patterson v. Domino's Pizza, LLC*, 333 P.3d 723 (2014), wherein the court held that the Domino's Pizza franchise (Franchisor) was not liable for the sexual harassment and assault of a franchisee's employee. A franchisor is vicariously liable for a franchisee only if it has a general right of control over hiring, direction, supervision, discipline, discharge, and employees' relevant day-to-day behavior. *Patterson*, 333 P.3d at 734.

The lack of control Watchtower and CCJW have over elders is similar to the control a franchisor lacks over a franchisee's employees, and the analysis of vicarious liability is consistent. The jury should decide whether elders were agents of Watchtower or CCJW.

D. The District Court Erred by Ruling That Petitioners Are Mandatory Reporters under Montana's Child Abuse Reporting Law.

The Court found all Petitioners are mandated reporters under Montana Code Annotated § 41-3-201. App. B at 2. The Court's determination

[8] *See, e.g.,* App. F, ¶¶ 62-66.

contravenes statutory language and case law. *Newville v. State Dep't of Family Servs.*, 267 Mont. 237, 261, 883 P.2d 793, 807 (1994).

The statute lists **persons** (i.e., members of the clergy) as mandated reporters, Montana Code Annotated § 41-3-201, but does not include religions or entities religions use to perform their operations.

"Members of the clergy," identified by Montana Code Annotated § 15-6-201(2)(b), are mandatory reporters unless § 41-3-201(6)(a) and (b) exempt reporting based upon the confidential nature of the communications or a requirement of canon law, church doctrine or established church practice.

The reporting statute creates civil liability for required reporters who fail to report. Montana Code Annotated § 41-3-207 provides: "Any person, official, or institution **required by law** to report known or suspected child abuse or neglect who fails to do so or who prevents another person from reasonably doing so is civilly liable for the damages proximately caused by such failure or prevention." Mont. Code Ann. § 41-3-207(1) (emphasis added).

The reporting provision, § 41-3-201, lists no institutions as "**required by law**" to report. Mandatory reporters are only **persons**, not their employers, principals, or any others for whom they are acting when their duty to report arises.

Montana has only one case regarding this distinction, *Newville*, where this Court contrasts reporting obligations between **persons** and entities:

> The District Court refused to give a jury instruction offered by the plaintiffs on the Department's statutory duty to report child abuse cases to the County Attorney. . . . **The fact issue here, according to the Department, was whether "reasonable cause" to suspect abuse or neglect applied to both the law enforcement officers and the Department. We conclude that <u>it applied only to the police officers</u>**.

Newville, 883 P.2d at 807-08 (citations omitted) (emphasis added). While sheriff's deputies are mandatory reporters under § 41-3-201(2)(g), the Department is *not* a mandatory reporter under that provision.

When the Legislature defined "member of the clergy" at § 41-3-201(2)(h), it incorporated part of a tax code for individuals (Mont. Code Ann. § 15-6-201(2)(b)) – *excluding* a separate subsection that identifies charitable institutions. Mont. Code Ann. § 15-6-201(2)(c)). Had the Montana Legislature intended to make employers and principals liable for their agents' failure to report, it could have done so.

A reporter's failure to report makes him negligent per se. Ruling that an employer is a mandatory reporter makes it a "vicariously mandated reporter," distinct from liability on principal-agent or respondeat superior principles. Only an enumerated professional or official can violate the statute.

The District Court erred when it failed to dismiss Plaintiffs' claim for negligence per se.

E. The District Court Erred by Impliedly Ruling That a Statutory Exception to Montana's Reporting Law Does Not Apply to Petitioners.

The Court's orders are silent on the clergy exception to reporting. The orders provide no rationale for ignoring the exception. Mont. Code Ann. § 41-3-201(6)(c). By ruling that all Defendants are negligent *per se*, the District Court implicitly ruled the reporting exception inapplicable. By implication, the District Court also ruled that the duty to report extends to persons who live outside Montana.

Montana's reporting statute expressly exempts elders from reporting information obtained in 2004 when Holly provided her "testimony" during internal ecclesiastical proceedings on a congregation member's serious sin.[9] Petitioners presented evidence that under the beliefs and practices of Jehovah's Witnesses, the information given in those proceedings is considered confidential.[10] Under § 41-3-201(6)(b) & (c), the Congregation elders were excused from mandatory reporting.

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[9] App. F, ¶¶ 42-49.

[10] App. F, ¶¶ 38-41.

Petitioners provided ample evidence that what Holly and Peter told the elders was "confidential" as defined in the statute.[11] The Constitution bars the Court from contradicting a religious organization on issues of religious beliefs, including canon law, church doctrine, and established church practice.[12]

F. The District Court Erred by Dismissing Petitioners' Third-Party Complaint Against Reyes and Nunez, Allowing Petitioners to File a Stand-Alone Contribution Claim.

The District Court's August 21, 2018 Order found "there is no alleged negligence of a third party" and allows Petitioners to file a separate action against Reyes and Nunez within 60 days. App. A at 2. Stand-alone contribution is proscribed by this Court's rulings; the right to contribution is statutory, Montana does not permit independent contribution or indemnity. *Metro Aviation, Inc. v. United States*, 2013 MT 193, ¶ 19, 371 Mont. 64, 305 P.3d 832.

Metro Aviation explained that Montana Code Annotated § 27-1-703(5) only permits contribution when a defendant files a third-party suit against

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[11] App. F, ¶ 49.

[12] *See, e.g., Bryce v. Episcopal Church in the Diocese of Colo.*, 289 F.3d 648 (10th Cir. 2002); *Kedroff v. St. Nicholas Cathedral*, 344 U.S. 94, 116 (1952); *Murrell v. Bentley*, 286 S.W.2d 359, 365 (Tenn. Ct. App. 1954); *Serbian E. Orthodox Diocese v. Milivojevich*, 426 U.S. 696, 708-09 (1976); *Presbyterian Church v. Mary Elizabeth Hull Mem. Presbyterian Church*, 393 U.S. 440, 446-447 (1969); *Gonzalez v. Roman Catholic Archbishop*, 280 U.S. 1, 16 (1929).

another whose alleged negligence may have contributed to plaintiff's injury. "Clearly, a single action is contemplated." *Metro Aviation*, ¶ 19.

The District Court found "there is no alleged negligence of the third party, instead there is an alleged intentional act . . . ." App. A at 2. That finding ignores the First Amended Third-Party Complaint that points to negligent acts. App. H, ¶¶ 16-17, 22 & 30. Each act could have prevented the intentional acts that followed. The jury should consider each allegation of unintentional negligence.

Comparative negligence is a question of fact for the jury. *Faulconbridge v. State*, 2006 MT 198, ¶ 99, 333 Mont. 186, 142 P.3d 777. The District Court erred by concluding that the negligence of Nunez and Reyes could not be compared to alleged negligence of Petitioners, and ordering Petitioners to proceed with a stand-alone action contrary to Montana law.

V. CONCLUSION

Petitioners respectfully request that the Court grant their Petition, stay the proceedings below, and correct the District Court's mistakes of law.

DATED this 11th day of September, 2018.

/s/ Kathleen L. DeSoto
Attorneys for Petitioners

CERTIFICATE OF COMPLIANCE

Pursuant to Montana Rule of Appellate Procedure 11(4)(e), I certify that this Petition is printed with proportionately spaced Times New Roman text typeface of 14 points; is double-spaced; and the word count, calculated by Microsoft Office Word 2010 is 4,000 words, excluding Certificate of Service and Certificate of Compliance.

/s/ Kathleen L. DeSoto
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CERTIFICATE OF SERVICE

I, Kathleen L. DeSoto, hereby certify that I have served true and accurate copies of the foregoing Petition - Writ - Supervisory Control to the following on 09-11-2018:

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