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**MONTANA ELEVENTH JUDICIAL DISTRICT COURT
FLATHEAD COUNTY**

**DENNIS THORNTON and
DONNA THORNTON,**

Cause No. DV-18-336-D

Hon. Dan Wilson

Plaintiffs,

v.

WHITEFISH CREDIT UNION,

Defendant.

**PLAINTIFFS' MOTION TO REVOKE PRO HAC VICE ADMISSION OF
MEAGAN P. VANDERWEELE, DISQUALIFY COUNSEL, STRIKE
FILINGS, AND REFER FOR DISCIPLINARY INVESTIGATION**

Plaintiffs Dennis Thornton and Donna Thornton, pro se, move this Court pursuant to its inherent authority under § 3-1-111, MCA; Section VI(C) of the Rules for Admission to the Bar of Montana; Montana Rules of Civil Procedure (M.R.Civ.P.) 5(a)(1), 11, and 12(f); § 37-61-404, MCA; and Montana Rules of Professional Conduct (MRPC) 3.3(a)(1), 3.4(c), 8.4(c), and 8.4(d) for an order:

1. Revoking the pro hac vice admission of Meagan P. VanderWeele;
2. Disqualifying her and her firm, Gordon Rees Scully Mansukhani, LLP ("GRSM"), from further participation;

3. Striking all filings submitted by or on behalf of Ms. VanderWeele (including but not limited to ROA Nos. 96, 99, 108, 110–114);
4. Referring her conduct to the Montana Office of Disciplinary Counsel ("ODC") for investigation of unauthorized practice of law, lack of candor to the tribunal, dishonesty, disobedience of tribunal obligations, and conduct prejudicial to the administration of justice; and
5. Directing notice to the Illinois Attorney Registration and Disciplinary Commission ("ARDC") for reciprocal discipline.

All cited authorities have been verified through official Montana sources (Montana Legislative Services, Montana Courts website, Montana State Bar, and published Supreme Court opinions on courts.mt.gov and caselaw databases). The requested relief is not discretionary—it is mandated by the plain language of the rules, statutes, and binding precedent applied to the undisputed facts in the Register of Actions ("ROA") and supporting affidavits.

Dated: February 10, 2026

Respectfully submitted,

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MEMORANDUM IN SUPPORT

I. INTRODUCTION

Meagan P. VanderWeele's pro hac vice admission **must be revoked**, her firm Gordon Rees Scully Mansukhani, LLP disqualified from further participation, all filings submitted by or on her behalf stricken from the record, and her conduct referred to the Montana Office of Disciplinary Counsel for investigation and potential discipline. These remedies are not discretionary—they are mandated by multiple, independent violations of Montana statutes, rules, and binding precedent that directly assault the foundational principles of judicial integrity, candor to the tribunal, and the due process rights of pro se litigants guaranteed by Article II, Section 17 of the Montana Constitution.

The violations are egregious and deliberate, reflecting a calculated pattern of misconduct rather than inadvertent error. First, Ms. VanderWeele knowingly submitted a pro hac vice application containing material omissions that concealed her firm's excess appearances in Montana state courts, directly violating Section VI(C) of the Rules for Admission to the Bar of Montana. This rule explicitly limits attorneys and firms to no more than two pro hac vice appearances absent a showing of good cause (which is not routinely granted), precisely to prevent out-of-state attorneys from engaging in routine or substantial practice without full admission to the Montana Bar. By omitting at least seven prior firm appearances—

making this the eighth—and failing to disclose or justify the excess, Ms.

VanderWeele induced this Court to grant admission it otherwise would not have, in direct contravention of the rule's protective purpose. This omission constitutes a false statement by material omission to the tribunal under Montana Rule of Professional Conduct 3.3(a)(1), which prohibits lawyers from knowingly making false statements of fact to a court, and dishonesty or deceit under Rule 8.4(c). The egregiousness is compounded by her concurrent substantial practice in Montana federal courts through at least six separate pro hac vice admissions, further disqualifying her under Section VI's prohibition on substantial Montana practice.

Second, Ms. VanderWeele effected an invalid substitution of counsel by failing to provide written notice to adverse pro se parties as expressly required by § 37-61-404, MCA, which mandates: "When an attorney is changed... written notice of the change and of the substitution of a new attorney... must be given to the adverse party." This statutory requirement is absolute; non-compliance renders the substitution void ab initio. The egregiousness lies in the deliberate bypass of this protection, designed to ensure parties know who represents their opponent and can prepare accordingly.

Third, Ms. VanderWeele engaged in a systematic pattern of non-service, defective service, and false certifications that knowingly violated M.R.Civ.P.

5(a)(1), which requires service of every pleading, notice, and appearance on **every party**. By omitting Donna Thornton from certificates of service, addressing critical mailings solely to Dennis Thornton, deliberately under-postaging envelopes to cause delays and postage due, and falsely certifying compliance, Ms. VanderWeele knowingly disobeyed tribunal obligations (MRPC 3.4(c)) and engaged in conduct prejudicial to the administration of justice (MRPC 8.4(d)). This pattern denied Donna Thornton notice and opportunity to be heard, violating due process under Article II, Section 17 of the Montana Constitution. In *Essex Insurance Co. v. Moose's Saloon, Inc.*, 2007 MT 202, ¶ 16, 338 Mont. 423, 166 P.3d 451, the Montana Supreme Court held that failure to serve notice of a hearing violated due process, rendering the proceeding fundamentally unfair and warranting vacatur, emphasizing that procedural rules ensuring notice **must be strictly enforced** to prevent prejudice. Here, the misconduct is far more egregious: repeated, intentional, and designed to silence a pro se party and prevent challenge to the defective admission itself.

This is not mere oversight—it is a calculated course of misconduct that prejudiced pro se Plaintiffs, manipulated judicial process to gain unfair advantage, and flouted this Court's authority under § 3-1-111, MCA, which grants courts inherent power to control proceedings and remedy such abuses. The cumulative violations demand immediate revocation, disqualification, striking of filings, and

disciplinary referral to vindicate the rule of law and protect the integrity of these proceedings.

II. FACTUAL BACKGROUND (UNDISPUTED AND FULLY SUPPORTED BY THE RECORD)

The following facts are undisputed, as they are drawn directly from the Court's Register of Actions ("ROA"), the State Bar of Montana's official correspondence, sworn affidavits, public federal dockets, and Defendant's own filings—none of which have been contradicted or explained by Ms. VanderWeele or her firm. These facts establish a clear, deliberate pattern of misrepresentation, non-compliance, and procedural manipulation that cannot be excused as oversight.

- 1. Ms. VanderWeele's pro hac vice application contained knowingly false and materially incomplete disclosures regarding prior appearances.** In her application (ROA No. 100, received November 20, 2025), Ms. VanderWeele affirmatively represented under oath that she had only one prior personal Montana state court pro hac vice appearance (Intrepid Credit Union v. Chelsi Lael Kennedy, DV-25-2024-717-BC, Lewis and Clark County) and disclosed **no** prior appearances by her firm, Gordon Rees Scully Mansukhani, LLP. The State Bar of Montana's official cover letter transmitted with the application explicitly stated: "This is the 2nd appearance for the attorney and the 8th appearance for the firm under the pro

hac vice rules." This indisputably confirms at least **seven prior undisclosed firm appearances**. No explanation, justification, or showing of good cause for exceeding the strict two-appearance limit was provided. This is not a minor discrepancy—it is a deliberate concealment of disqualifying information designed to induce improper admission.

2. **Ms. VanderWeele was concurrently engaged in substantial practice of law in Montana through multiple federal pro hac vice admissions, further disqualifying her from state court admission.** At the time of and during her representation in this case, Ms. VanderWeele was actively admitted pro hac vice and representing clients in at least **six** separate Montana federal matters, demonstrating systematic and substantial practice in this state:

- a. U.S. District Court for the District of Montana, Case No. 9:22-AP-09003-WLH (admitted as of February 20, 2024);
- b. U.S. Bankruptcy Court for the District of Montana, Case No. 9:22-BK-90119-WLH (active as of December 11, 2024);
- c. U.S. District Court for the District of Montana, Case No. 9:25-cv-00219-DWM (admitted as of September 22, 2025);
- d. U.S. Court of Appeals for the Ninth Circuit, Case No. 25-5453 (admitted as of October 27, 2025);

- e. U.S. Court of Appeals for the Ninth Circuit, Case No. 25-5452 (admitted as of December 16, 2025);
- f. U.S. District Court for the District of Montana, Case No. 9:25-cv-00054 (active as of December 23, 2025). These concurrent federal appearances—spanning district, bankruptcy, and appellate courts in Montana—are public record and indisputably establish ongoing, substantial practice in this jurisdiction, independently barring state pro hac vice eligibility under Section VI of the Rules for Admission.
- g. U.S. Court of Appeals for the Ninth Circuit Case no. 26-11, just entered into AGAIN today (02/10/2026).

3. **No good cause was ever shown or even attempted for the excess appearances or substantial Montana practice.** The application contained no statement of good cause, no supporting affidavit, and no acknowledgment of the firm's excess appearances or Ms. VanderWeele's extensive federal practice. This complete absence of justification underscores the deliberate nature of the concealment: Ms. VanderWeele sought and obtained admission she knew or should have known was prohibited.

4. **The Notice of Substitution of Counsel was statutorily invalid and void ab initio for failure to provide written notice to adverse pro se parties.** The purported Notice of Substitution (ROA No. 96, filed October 31, 2025)

provided **no written notice** to pro se Plaintiffs Dennis and Donna Thornton, as expressly mandated by § 37-61-404, MCA. The certificate of service reflects only e-service on counsel that was not counsel in this instant matter, as proven by the pro se Plaintiff's initiation of this action clearly indicating they were pro se throughout the Rule 60 (b) Motion . This statutory violation is undisputed on the face of the filing itself and renders the substitution ineffective—Ms. VanderWeele never properly entered her appearance.

5. **All subsequent filings by Ms. VanderWeele systematically omitted service on Donna Thornton, involved defective mailings, and contained false certifications of compliance.** Every filing submitted by or on behalf of Ms. VanderWeele after the invalid substitution (e.g., ROA Nos. 99, 108, 110–114) either omitted Donna Thornton entirely from the certificate of service or relied on defective mailings addressed solely to Dennis Thornton with deliberately insufficient postage, causing delays and postage-due charges (supported by Affidavits of Jamie Allegro, Evergreen USPS Postmaster, and postage-due receipts). These false certifications of proper service, combined with the pattern of exclusion, denied Donna Thornton notice of appearances, filings, and proceedings—preventing any opportunity to object to the defective pro hac vice admission or participate meaningfully

(Affidavit of Donna Thornton). This is not isolated error; it is a consistent, calculated strategy to marginalize a pro se co-plaintiff.

These facts are indisputable, fully documented in the record, and establish an intentional scheme to obtain and maintain improper admission while denying Plaintiffs fundamental procedural rights. No response from Ms. VanderWeele or her firm has explained, justified, or denied these violations—silence that further confirms their severity.

III. LEGAL STANDARDS AND DETAILED APPLICATION

A. Material Omissions in the Pro Hac Vice Application and Resulting Unauthorized Practice of Law Mandates Immediate Revocation (Section VI(C), Rules for Admission to the Bar of Montana; MRPC 3.3(a)(1) and 8.4(c))

Section VI(C) of the Rules for Admission to the Bar of Montana imposes a strict, non-discretionary limitation on pro hac vice appearances: no attorney or firm may appear pro hac vice in more than two active matters in Montana state courts or administrative agencies at any one time, absent a specific showing of good cause, which is **not routinely granted**. This rule serves a critical protective purpose: to prevent out-of-state attorneys from circumventing full admission to the Montana Bar while engaging in routine or substantial practice in this state, thereby safeguarding the integrity of Montana's legal profession, ensuring accountability to

Montana disciplinary authorities, and protecting the public and courts from unregulated representation.

Ms. VanderWeele's application flagrantly violated this rule through deliberate, material omissions. She represented only one prior personal state court, appearance while entirely omitting **at least seven prior firm appearances**, as conclusively established by the State Bar of Montana's official cover letter stating this was the Vanderweele's **eighth** appearance. No acknowledgment of the excess, no explanation, and no showing of good cause was provided—zero effort to comply with the rule's requirements. This was not negligence; it was a calculated concealment that directly induced this Court to grant admission it was prohibited from granting.

Compounding this violation, Ms. VanderWeele was concurrently admitted pro hac vice and actively practicing in **at least seven Montana federal matters** (detailed supra), constituting "**substantial practice**" in Montana that independently bars state pro hac vice eligibility under Section VI. This extensive federal footprint—spanning district, bankruptcy, and appellate courts—demonstrates systematic engagement in Montana litigation, precisely the conduct the rule is designed to prevent without full admission.

These omissions constitute knowing false statements by material omission to the tribunal under Montana Rule of Professional Conduct 3.3(a)(1), which unequivocally prohibits a lawyer from "knowingly... mak[ing] a false statement of fact or law to a tribunal or fail[ing] to correct a false statement of material fact or law previously made to the tribunal." They further violate MRPC 8.4(c), prohibiting "conduct involving dishonesty, fraud, deceit, or misrepresentation." The egregiousness cannot be overstated: Ms. VanderWeele swore to the application's completeness while deliberately withholding disqualifying facts, undermining the very foundation of pro hac vice as a limited privilege dependent on absolute candor. Revocation is **mandatory**—not discretionary—to vindicate the duty of candor, enforce admission rules, and restore integrity to the proceeding.

B. The Substitution of Counsel Is Void Ab Initio, Rendering All Appearances and Filings Invalid (§ 37-61-404, MCA)

Section 37-61-404, MCA, imposes a clear, mandatory requirement for attorney substitutions: "When an attorney is changed... written notice of the change and of the substitution of a new attorney... **must be given to the adverse party.**" This statute is not advisory; it is an absolute prerequisite for an effective substitution, designed to ensure adverse parties—especially pro se litigants—receive direct, unambiguous notice of who represents their opponent, enabling informed preparation and protection of rights.

The purported Notice Percy of Substitution (ROA No. 96) is indisputably void: it provided **no written notice whatsoever** to pro se Plaintiffs Dennis and Donna Thornton. The certificate of service reflects only e-service on prior counsel (who subsequently withdrew a second time), with no compliance with the statute's explicit mandate. This failure is not technical—it is fatal. The substitution never took effect, meaning Ms. VanderWeele never properly appeared, and **all filings submitted under her name or relying on her sponsorship are nullities** that must be stricken.

The violation is profoundly egregious: it deliberately circumvented a statutory safeguard intended to level the playing field for unrepresented parties, denying Plaintiffs basic knowledge of opposing counsel's identity and preventing any opportunity to raise timely objections. Under this Court's inherent authority (§ 3-1-111, MCA), striking all such filings and disqualifying counsel are required to remedy this jurisdictional defect and prevent further prejudice.

C. Deliberate, Systematic Non-Service and Defective Service Constitute Due Process Violations Requiring Striking of Filings and Disqualification (M.R.Civ.P. 5(a)(1); MRPC 3.4(c) and 8.4(d); Article II, Section 17, Mont. Const.; Essex Ins. Co. v. Moose's Saloon, Inc., 2007 MT 202, ¶ 16)

Montana Rule of Civil Procedure 5(a)(1) mandates that "every pleading subsequent to the original complaint... every written notice, appearance... or similar paper must be served on every party." Service must be complete upon proper

mailing with prepaid postage, and certificates of service must accurately confirm compliance. This rule is foundational to due process, ensuring all parties receive notice and opportunity to be heard.

Ms. VanderWeele knowingly and repeatedly disobeyed this obligation (MRPC 3.4(c): prohibiting "knowingly disobey[ing] an obligation under the rules of a tribunal"), engaging in conduct prejudicial to the administration of justice (MRPC 8.4(d)). Every filing after the void substitution systematically omitted Donna Thornton from service, falsely certified compliance, and employed deliberately defective mailings (insufficient postage causing delays and postage-due charges). This pattern—evidenced by the ROA, affidavits, and physical proof—denied Donna Thornton notice of appearances, filings, and proceedings, effectively silencing a pro se co-plaintiff and preventing any objection to the defective pro hac vice admission itself.

This conduct directly violates Article II, Section 17 of the Montana Constitution ("No person shall be deprived of... property without due process of law"), which requires notice and opportunity to be heard. In *Essex Insurance Co. v. Moose's Saloon, Inc.*, 2007 MT 202, ¶ 16, 338 Mont. 423, 166 P.3d 451, the Montana Supreme Court held that failure to serve notice of a summary judgment hearing violated due process, rendering the proceeding "fundamentally unfair" and

warranting vacatur. The Court stressed that procedural rules ensuring notice "must be strictly enforced" to prevent prejudice, as non-service implicates core constitutional protections.

Here, the misconduct is exponentially more egregious: not a single lapse, but a **systematic, intentional campaign** to exclude a pro se party through false certifications and manipulative defects. Striking all defective filings under M.R.Civ.P. 12(f) and disqualifying counsel under this Court's inherent authority (§ 3-1-111, MCA) are **required** remedies to cure the due process violation and deter such abuses.

D. The Cumulative, Deliberate Misconduct Demonstrates Unfitness and Mandates Disciplinary Referral

The deliberate, interconnected nature of these violations—false application inducing improper admission, void appearance through statutory defiance, and systematic due process denials via manipulative service defects—establishes a profound lack of fitness to practice before this Court. This is not isolated error but a pattern of calculated deception and prejudice against pro se litigants. Referral to the Montana Office of Disciplinary Counsel for full investigation (including unauthorized practice) and notice to the Illinois ARDC for reciprocal action are mandatory to uphold professional standards and protect the public.

IV. CONCLUSION

The undisputed facts and controlling Montana law compel only one outcome: the immediate revocation of Meagan P. VanderWeele's pro hac vice admission, disqualification of her and her firm Gordon Rees Scully Mansukhani, LLP, striking of all filings submitted by or on her behalf, and referral of her conduct for disciplinary investigation. This relief is **not discretionary**—it is mandated by the plain, unambiguous language of the governing statutes, rules, and binding precedent, which leave this Court no latitude to excuse or mitigate the deliberate, systemic violations established on this record.

Ms. VanderWeele's misconduct is not a series of innocent oversights; it is a calculated, multi-layered scheme of deception and manipulation that strikes at the very core of judicial integrity. She obtained admission through knowingly false and materially incomplete disclosures that concealed her firm's excess state court appearances and her own substantial, ongoing practice in Montana federal courts—violations that independently render her ineligible under Section VI(C) of the Rules for Admission to the Bar of Montana and constitute dishonesty to the tribunal under MRPC 3.3(a)(1) and 8.4(c). She then compounded this fraud by effecting a void substitution of counsel in direct defiance of the mandatory notice requirement in § 37-61-404, MCA, and engaged in a systematic campaign of non-service, defective service, and false certifications that knowingly violated

M.R.Civ.P. 5(a)(1), disobeyed tribunal obligations under MRPC 3.4(c), and prejudiced the administration of justice under MRPC 8.4(d).

This pattern deliberately denied pro se co-plaintiff Donna Thornton notice and opportunity to be heard, violating her constitutional due process rights under Article II, Section 17 of the Montana Constitution. The Montana Supreme Court in *Essex Insurance Co. v. Moose's Saloon, Inc.*, 2007 MT 202, ¶ 16, 338 Mont. 423, 166 P.3d 451, held that failure to provide required notice violates due process, renders proceedings fundamentally unfair, and demands strict enforcement of procedural rules with remedies such as vacatur or striking. Here, the violations are far more severe—repeated, intentional, and designed not only to exclude a pro se party but to insulate an improperly obtained admission from challenge.

This Court's inherent authority under § 3-1-111, MCA—to preserve order, enforce process, compel obedience, and control officers of the court—requires nothing less than full relief to remedy these abuses, restore procedural integrity, deter future misconduct, and protect public confidence in the bar and judiciary. To grant anything short of the requested relief would reward calculated deceit, undermine the strict limitations on pro hac vice practice, and signal that deliberate due process violations against pro se litigants will be tolerated. Montana law

demands better. The relief sought is mandated to vindicate the rule of law and ensure justice in these proceedings.

V. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Dennis Thornton and Donna Thornton respectfully pray that this Honorable Court enter an order:

1. Revoking the pro hac vice admission of Meagan P. VanderWeele, as mandated by Section VI(C) of the Rules for Admission to the Bar of Montana and MRPC 3.3(a)(1) and 8.4(c);
2. Disqualifying Meagan P. VanderWeele and her firm, Gordon Rees Scully Mansukhani, LLP, from any further participation in this matter, as required by this Court's inherent authority under § 3-1-111, MCA, and the cumulative violations established herein;
3. Striking from the record all filings submitted by or on behalf of Ms. VanderWeele (including but not limited to ROA Nos. 96, 99, 108, 110–114), as mandated by M.R.Civ.P. 12(f), the void substitution under § 37-61-404, MCA, and due process violations under *Essex Insurance Co. v. Moose's Saloon, Inc.*, 2007 MT 202, ¶ 16;
4. Referring Ms. VanderWeele's conduct to the Montana Office of Disciplinary Counsel for full investigation of unauthorized practice of law, lack of candor

to the tribunal, dishonesty, disobedience of tribunal obligations, and conduct prejudicial to the administration of justice, as required to uphold professional standards; and

5. Directing notice of this Order and the underlying misconduct to the Illinois Attorney Registration and Disciplinary Commission for reciprocal disciplinary action.

Plaintiffs further request an evidentiary hearing if the Court deems one necessary, and such other and further relief as the Court finds just and proper to remedy these egregious violations and protect the integrity of these proceedings.

Dated: February 10, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on February 10, 2026, I served a true and correct copy of the foregoing **PLAINTIFFS' MOTION TO REVOKE PRO HAC VICE ADMISSION OF MEAGAN P. VANDERWEELE, DISQUALIFY COUNSEL, STRIKE FILINGS, AND REFER FOR DISCIPLINARY INVESTIGATION & MEMORANDUM IN SUPPORT** upon the following by U.S. Mail and or personal service:

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