

**IN THE CIRCUIT COURT OF HENRY COUNTY, MISSOURI  
CIRCUIT DIVISION**

**FILED**  
**Friday, February 5, 2021**  
**PATRICIA L DOLL**  
**CIRCUIT CLERK**  
**HENRY COUNTY, MO**

**CANDY LYNN SMITH,**

Petitioner,

vs.

**TIGHTWAD FIRE PROTECTION  
DISTRICT, INC.,**

Respondent.

Case No. 20HE-CC00066

**ORDER APPOINTING SPECIAL MASTER UNDER RULE 68.01**

On the 25<sup>th</sup> day of January, 2021, the Court considered Petitioner's Motion for Appointment of Special Master, filed on December 1, 2020. Having read the briefing, being duly advised in the premises, and pursuant to Supreme Court Rule 68.01, the Court hereby **GRANTS** Petitioner's Motion for Appointment of Special Master and appoints MONTE OLSEN as Special Master for the purposes of retaining counsel for the District, preparing an abstract of the District Board for presentation to the Court with options to resolve the Board's legitimacy issues along with a recommendation for a resolution, and for any other purpose the Court deems necessary.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Monte Olsen (Telephone: 816-213-7108; Email: monteolsen@vadheim.com) is appointed as a Special Master herein pursuant to Rule 68.01.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall have all powers and duties set forth in Rule 68.01.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall retain counsel for the District, and that such counsel shall determine what, if any, due process is required to ensure anyone with a contrary position regarding the circumstances herein

could have their voice(s) heard.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall prepare an abstract of the District Board for presentation to the Court with options to resolve the Board's legitimacy issues. Such abstract shall also contain a recommendation for resolution

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall effectively act as a receiver over the District's directors and funds. No expenditures of the District funds shall be made, except upon approval of Special Master Olsen.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall oversee and approve all transactions involving District's apparatus, District's facility, and/or District's equipment. No actions, modifications, etc. shall be made, except upon approval of Special Master Olsen.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall have complete and unrestricted access to any records produced in this case, including electronic data, policies, procedures, contracts, reports, correspondence, plans, notices, and other relevant documents.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall proceed with all reasonable diligence.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that if Special Master Olsen requires a hearing or the taking of evidence, he shall execute an oath as set forth in Rule 68.01(d).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen shall be compensated for his services at his normal hourly rate, and shall be reimbursed for

the necessary expenses he may incur during the performance of his duties.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Special Master Olsen's fees incurred in carrying out his duties shall be paid out of the District's funds upon the disposition of this case.

**IT IS SO ORDERED.**

2/5/2021  
Date

M. Brandon Baker  
M. Brandon Baker, Circuit Court Judge

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing was mailed and/or automatically forwarded to the below parties and attorney(s) of record through the Court's eFiling system on February 4, 2021.

Candy L. Smith  
1136 SE 460<sup>th</sup> Road  
Clinton, MO 64735  
(660) 924-3486  
Candysmith803@gmail.com  
**PETITIONER PRO SE**

Jeremiah V. Cover  
Lauber Municipal Law, LLC  
250 NE Tudor Road  
Lee's Summit, MO 64086  
(816) 525-7881 ext. 2  
**COUNSEL FOR DEFENDANT**

Monte Olsen  
(816) 213-7108  
monteolsen@vadheim.com  
**SPECIAL MASTER**

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Circuit Clerk