

Exhibit A:
August 6, 2025
Complaint for Damages Filed
in CS&KT Tribal Court (Flathead
Reservation, Pablo Montana) by
Sarah M. McClure &
Colton J. Wheeler
Against
Michael W. Futrell, individually and
dba
Lost Boys Construction, LLC
As Case #25-0208-cv

IN THE TRIBAL COURT OF THE CONFEDERATED SALISH AND KOOTENAI
TRIBES OF THE FLATHEAD RESERVATION, PABLO, MONTANA

SARAH MCCLURE,
COLTON WHEELER,
Petitioner(s)/Plaintiff(s)

and

MICHAEL FUTRELL,
LOST BOYS CONSTRUCTION,
Respondent(s)/Defendant(s)

Cause No. 25-0208-CV

SUMMONS

THE CONFEDERATED SALISH & KOOTENAI TRIBES SEND GREETINGS TO THE
ABOVE-NAMED RESPONDENT/DEFENDANT:

YOU ARE HEREBY SUMMONED to respond to the Petition/Complaint in this action which is filed in the office of the Clerk of Tribal Court. A COPY OF THE PETITION/COMPLAINT IS ATTACHED TO THIS SUMMONS AND IS HEREBY SERVED UPON YOU.

1. Under CSKT Law you have fifteen (15) working days (excluding the day of service, Saturdays, Sundays and Tribal legal holidays) from the date of service of this Summons and Petition/Complaint in which to file your written Response to the Petition/Complaint with the Tribal Court.
2. You may consider going to an attorney who may assist you in preparing your written answer and in deciding what to do. You may be required to pay a filing fee with your Response/Answer. A Response/Answer form can be found at <http://csktcourt.org> by clicking on the "FORMS & FILINGS" tab.
3. If you disagree with anything in the Petition/Complaint and want the Court to hear your side of the case, you must write your Response/Answer and file it with the Tribal Court within the time described in Paragraph 1 above.
4. If you do not file an answer within the time allowed, your failure to file a Response/Answer may result in a Default Judgment against you and the Court granting the relief requested in the Petition/Complaint.

ISSUED this 6TH day of August, 20 25.

By:

Yannichaynes
Clerk of Tribal Court



Sarah M. McClure & Colton J. Wheeler

Name

41220 Whispering Pines Dr.

FILED

Mailing Address

Ronan, MT 59864

AUG 06 2025

City, State

(406)531-8543

Zip

TRIBAL COURT

Telephone Number

Plaintiff Pro Se

IN THE TRIBAL COURT OF THE CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION, PABLO, MONTANA

<p><u>Sarah M. McClure & Colton J. Wheeler</u> Petitioner(s)/Plaintiff(s)</p> <p>And</p> <p><u>Michael W. Futrell - Lost Boys Construction</u> Respondent(s)/Defendant(s)</p>	<p>Cause No. <u>25-0208-CV</u></p> <p>COMPLAINT</p>
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COMES NOW, the Plaintiff and alleges the following against the above-named Defendant:

1. Parties

Plaintiff (*You are the plaintiff in this action.*)

Full Legal Name:

Sarah Mae McClure & Colton James Wheeler

Date of Birth:

05/02/1990 & 08/03/1990

Mailing Address:

41220 Whispering Pines Dr.

Physical Address:

Ronan, MT 59864

41220 Whispering Pines Dr.

Ronan, MT 59864

Length of Residence on the Flathead Reservation:

35 years

Tribal Affiliation: CSKT - Sarah McClure None - Colton Wheeler

Enrollment Number: 11557

Defendant (The other party is the defendant.)

Full Legal Name: Michael Wayne Futrell

Date of Birth: _____

Mailing Address: 706 11th Ave E
Polson, MT 59860

Physical Address: 706 11th Ave E
Polson, MT 59860

Length of Residence on the Flathead Reservation: _____

Tribal Affiliation: None

Enrollment Number: None

2. Jurisdiction

This Court has jurisdiction over this dispute because:

The dispute occurred within the exterior boundaries of the Flathead Indian Reservation and both parties are enrolled member of federally recognized tribes.

The dispute occurred within the exterior boundaries of the Flathead Indian Reservation and the Defendant is an enrolled member of a federally recognized tribe. The Plaintiff stipulates that the Tribal Court has jurisdiction of any counterclaims the Defendant may have against the Plaintiff.

The contract was executed within the exterior boundaries of the Flathead Indian Reservation, and/or the material goods contracted for in this matter were created or originated within the boundaries of the Flathead Reservation and the Plaintiff is an enrolled member of a federally recognized Tribe, or the Plaintiff corporation is majority owned by a member of a federally recognized Tribe. The Defendant is subject to the Tribal Court's jurisdiction because the Defendant was involved in
(Choose at least one):

business transactions on the Reservation.

owning or possessing an interest in property located on the Reservation.

I respectfully request that the Court award judgment in my favor and grant the following relief. *(Explain what you believe the other party owes you as a result of their breach of contract, and what relief you would like the Court to grant.):*

I demand a full refund of \$11,095.40, comprising \$8,895.40 paid for undelivered materials, \$2,000 paid due to his misrepresentation and \$200 paid to Tribal Court for court costs/fees. He assured me his insurance would cover and take care of his mistake. He told me twice to just turn it into insurance.

Number of Attached Pages: *(Tell the Court how many documents you have attached to your pleading).* _____.

RESPECTFULLY SUBMITTED this 6th day of August, 2025 by:

Sarah M. McClure et al v. 11

Signature of Petitioner

VERIFICATION AND ACKNOWLEDGMENT

I, Sarah M. McClure & Colton J. Wheeler, swear/affirm under penalty of perjury that I have read the foregoing document and that the information provided set forth therein is true and correct to the best of my knowledge.

Sarah M. McClure et al v. 11

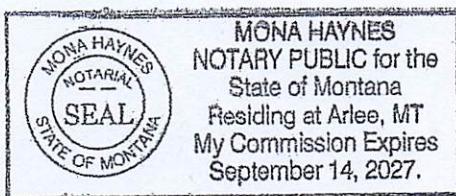
Signature

7/31/25

Date

Subscribed and sworn to or affirmed before me at Pablo, Montana on the
6th day of August, 2025.

(SEAL)



Mona Haynes

Clerk of Tribal Court, Notary, or other person
authorized to administer oaths.

My Commission Expires: 9/14/27

a contract, or performing part of a contract, on the Reservation.
 injuring or damaging Tribal property or a Tribal member's property.

3. **Describe the Terms of the Contract.** (In a short statement state what the terms of the agreement were, and attach a copy of any written documentation of the agreement).
Remodel of Kitchen, Bathrooms, Siding, Doors Inside & Outside, Windows and Interior & Exterior Trim.

4. **Nature of the Agreement.** Was the contract written down, or was it a verbal agreement?
Written out Construction Contract Agreement

5. **Breach of Contract or Agreement.** (In a short statement, describe the dispute and how the other party breached the agreement.)

Failure to complete contract in a timely manner. It was going on three plus months past the contract end date. Failure to provide agreed upon paid for materials. Failure to complete agreed upon work. Didn't want to provide receipts he said he would provide. Lies and unprofessional.

Exhibit A: Lost Boys Construction Proposal

Exhibit B: Contract / Service Agreement

Exhibit C: Insurance

Exhibit D: Independent Contractors License

Exhibit E: Insurance Claim Denial

Exhibit F: Official Email Demand for Refund and Notice of Breach of Contract - Sent to Michael Fultrell.

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 - Original Proceedings. (1) Cases which originate in the United States district courts.
 - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 - Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.

PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 - Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 - Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.