

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

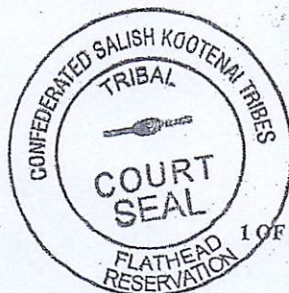
<p>SARAH MCCLURE, COLTON WHEELER, Petitioner(s)/Plaintiff(s)</p> <p>and</p> <p>MICHAEL FUTRELL, LOST BOYS CONSTRUCTION, Respondent(s)/Defendant(s)</p>	<p>Cause No. 25-0208-CV</p> <p>SUMMONS</p>
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THE CONFEDERATED SALISH & KOOTENAI TRIBES SEND GREETINGS 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, 2025.



By: Munch Haynes

Clerk of Tribal Court

Sarah M. McClure & Colton J. Wheeler

Name

41220 Whispering Pines Dr.

Mailing Address

Ronan, MT 59864

City, State Zip

(406)531-8543

Telephone Number

FILED

AUG 06 2025

TRIBAL COURT

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.

Ronan, MT 59864

Physical Address: 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 at 7/31/25

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 at 7/31/25

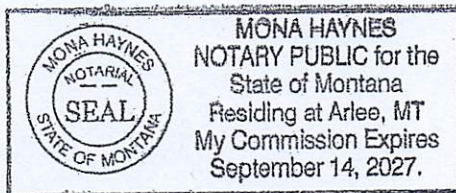
Signature

7/31/25

Date

Subscribed and sworn to or affirmed before me at Pablo, Montana on the 10th 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
Futrell.

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings 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. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Sarah McClure and Colton Wheeler

(b) County of Residence of First Listed Plaintiff Lake
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

41220 Whispering Pines Drive *** Ronan, Montana 59864
(406) 531-8543 **** email: cslwheeler3212@gmail.com

DEFENDANTSMichael Wayne Futrell (aka Michael W. Futrell, Mike Futrell),
dba Lost Boys Construction

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

706 11th Avenue East *** Polson, Montana 59860
(406) 382-9166 *** email: mwfutrell@gmail.com

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1443(1) + Rule 11(b)(2) of the Federal Rules of Civil Procedure
Brief description of cause:
Contract Case Corruptly Manipulated in Tribal Court for the Confederated Salish & Kootenai Tribes

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
\$11,095.40

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

Tuesday December 9 2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Michael Wayne Futrell/s/

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

Case 9:25-cv-00210-KLD Document 1-1 Filed 12/09/25 Page 9 of 9
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 Description](#).
- 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.