



## Montana Department of Livestock Report of Legal Claims During the Quarter Ending December 31, 2022

Name	Forum	Date of Service/Notice/Loss	Filed Date	Notes
1 Lyons v. PHHS and Dept. of Livestock	District Court, Missoula County, Cause No. DV-32-2022-0001022-PI	Acknowledged service on 11/18/2022; Notice: Claim received by RMTD on November 25, 2019—but withdrawn and resubmitted by counsel on April 25, 2020.	Complaint filed on 9/13/2022	Ms. Lyons is suing PHHS and DOL claiming negligence connected to testing for rabies. Lyons encountered a bat in her home and she believed it scratched her scalp. She called an exterminator who captured and killed the bat. The bat was taken to Pruyn Veterinary Clinic where it was allegedly packaged and sent to the DOL lab for rabies testing. According to Pruyn, it was placed in the same package with another sample sent for testing—the head of a dog. The dog’s head was tested, but the DOL lab staff did not find any bat within the packaging. Nor did staff at the lab find any form filled out by Pruyn for the testing of the bat. Because the bat could not be found, Lyons claims she underwent vaccination for rabies that she would not have otherwise undergone. Plaintiff’s counsel has demanded payment for medical expenses totaling slightly over \$20,000. Of this, her medical insurance covered most of the total, but she had around \$2,000 in out of pocket expenses. She claims that she also suffered emotional distress, along with the inconvenience of having to have the injections necessary to vaccinate for rabies. She has demanded \$95,000 to settle the case.