

October 31, 2006

116 North 2nd Street
Bismarck, ND 58501

Via Facsimile Only

P.O. Box 460
Bismarck, ND 58502-0460
Phone (701) 258-0630
Fax (701) 258-6498

Ms. Penny Miller, Clerk
North Dakota Supreme Court
600 East Boulevard Avenue, Dept. 180
Bismarck, ND 58505-0530

Re: Capital Electric Coop., Inc. v. City of Bismarck, et al
Supreme Court No: 20060199
Burleigh County No: 05-C-02303

Dear Ms. Miller:

Per your request, this letter shall identify my conflicts during the month of December. In that regard, I have conflicts on the following dates:

December 5 (scheduled depositions);
December 12, 13, and 15 (trial preparation);
December 14 (scheduling conference in Minnesota state court action in Crow Wing County);
December 18-22 (jury trial in Fanta v. Fimco in federal district court in Bismarck);
December 26-29 (scheduled vacation).

Thank you for your consideration regarding this matter.

Very truly yours,



Randall J. Bakke

Sheldon A. Smith *
Randall J. Bakke ***
Scott K. Porsborg ***
Suzanne M. Schweigert *
Shawn A. Grinolds **
Mitchell D. Armstrong **
David R. Phillips *

RJB/jmh
pc: Carol Larson (mail only)
Daniel Kuntz (mail only)
Jerome Kettleon (mail only)
William Binek (mail only)

* Licensed in North Dakota

■ Licensed in Minnesota

● Licensed in South Dakota

* Board Certified Civil Trial
Specialist by National Board
of Trial Advocacy