

Jeffcoat-Sacco, Illona

From: Scanson, Lorraine [LScanson@ndcourts.gov]
Sent: Monday, June 28, 2010 3:57 PM
To: Jeffcoat-Sacco, Illona; dan.kuntz@mduresources.com; mbring@ottertail.com; derrick@svlawpartners.com
Cc: Anderson, Sonna; (COC) 08 Burleigh Civil Clerk; janalinderman@yahoo.com
Subject: Order of Dismissal & Mandate - Dakota Resource Council, et al. v. Public Service Commission, et al., Supreme Court No. 20090360
Attachments: order of dismissal.pdf

This e-mail is being resent as the Order was not attached on the first e-mail.

*SUPREME COURT OF NORTH DAKOTA
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(via e-mail only)

June 28, 2010

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Mark B. Bring
Associate General Counsel
Otter Tail Corporation
P.O. Box 496
Fergus Falls, MN 56538-0496

RE: Dakota Resource Council, et al. v. Public Service Commission, et al.
Supreme Court No. 20090360
Burleigh Co. No. 08-C-02434

Pursuant to the Stipulation for Voluntary Dismissal, signed by counsel for the respective parties, an Order has been entered dismissing the appeal in this matter. This action is taken pursuant to Administrative Rule 5. The mandate of the Supreme Court in this matter is being forwarded to the Clerk of Court of Burleigh County today.

Sincerely yours,

Penny Miller, Clerk
North Dakota Supreme Court

384 PU-06-482 Filed 06/28/2010 Pages: 4
APPEAL - Email with Order of Voluntary Dismissal attached
Supreme Court of North Dakota
Penny Miller, Clerk of ND Supreme Court

375 PU-06-481 Filed 06/28/2010 Pages: 4
APPEAL - Email with Order of Voluntary Dismissal attached
Supreme Court of North Dakota
Penny Miller, Clerk of ND Supreme Court

PM:ls

Attachment

pc & attach: Jana M. Linderman
Todd Guerrero (via US Mail only)
The Honorable Sonna M. Anderson
Debra Simenson, Clerk of Court (certified mandate sent via U.S. mail)

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IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER OF VOLUNTARY DISMISSAL

Supreme Court No. 20090360
Burleigh Co. No. 08-C-02434

Appeal from the District Court of Burleigh County.

**Dakota Resource Council
and Mark Trechock,**

Petitioners and Appellants

v.

**Public Service Commission,
Otter Tail Corporation, and
Montana-Dakota Utilities Co.,**

Respondents and Appellees

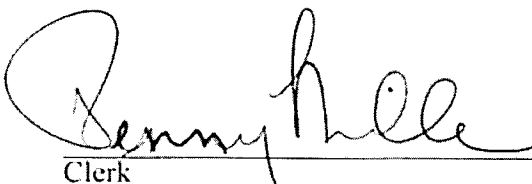
Penny Miller, Clerk of the Supreme Court, acting under the provisions of Administrative Rule 5;

And a Stipulation for Voluntary Dismissal having been filed by Derrick L. Braaten, counsel for Appellants Dakota Resource Council and Mark Trechock; Ilona A. Jeffcoat-Sacco, counsel for the Appellee North Dakota Public Service Commission; Daniel S. Kuntz, counsel for Appellee Montana Dakota Utilities Co; and by Mark B. Bring, counsel for Appellee Otter Tail Corporation;

It is ORDERED AND ADJUDGED that the appeal from the Judgment of the court below be and the same is hereby **DISMISSED**.

It is further ordered and adjudged that none of the parties have and recover costs and disbursements.

Dated: June 28, 2010.


Clerk
North Dakota Supreme Court

Seal