

# Supreme Court of North Dakota

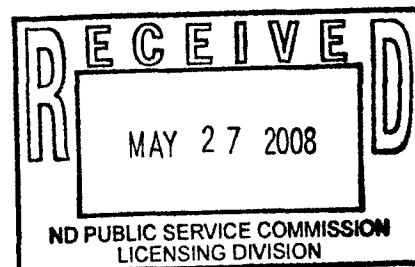
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CLERK OF THE SUPREME COURT  
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CHIEF DEPUTY CLERK  
COLETTE M. BRUGGMAN

May 22, 2008

Mr. William W. Binek  
Special Assistant Attorney General  
Public Service Commission  
State Capitol  
Bismarck, ND 58505-0480



RE: Public Service Commission v. Minnesota Grain  
Supreme Court No(s). 20080068  
Bowman Co. No. 07-C-00018

This matter will be called for oral argument on 06/16/2008 at 01:30pm or as soon thereafter as the case(s) may be heard. Therefore, the reply brief, if any, will be due in our office on June 10, 2008, under Rule 31(a), N.D.R.App.P., which is three days before oral argument. **Please immediately confirm your presence at oral argument with my staff person at 701-328-2221.**

Pursuant to Rule 34(b), N.D.R.App.P., the appellant will be given 30 minutes and the appellee 20 minutes to argue. If there are two or more appellants or appellees, they must share the allotted time.

**Absent exigent circumstances, if you are unable to attend or wish to waive oral argument, you must notify this office, in writing, no less than one week prior to the scheduled date and time. Neglect to do so may subject you to sanction.** If you are unable to attend oral argument at the scheduled date and time, the case(s) will be submitted on the basis of the brief(s) filed. Counsel or unrepresented party available at the scheduled date and time will be permitted to appear. However, under N.D.R.App.P. 34(a)(2), amended effective March 1, 2003, upon examination of the briefs and record, the Court may decide that oral argument is unnecessary and cancel oral argument.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Penny Miller".

Penny Miller  
Clerk  
North Dakota Supreme Court

PM:tc

131 GE-07-99 Filed: 5/27/2008 Pages: 1  
Supreme Court Letter re Oral Argument on 6-16-08