

Gruman, Mark E.

From: Gruman, Mark E.
Sent: Wednesday, November 16, 2011 3:16 PM
To: 'supclerkofcourt@ndcourts.gov'
Subject: FW: Dakota Resource Council v. ND Public Service Commission, et al., Supreme Court No. 20110226

I will represent the North Dakota Public Service Commission in this matter, and will be presenting oral argument. It is my understanding that this distinction would include appearing. However, if I am mistaken, please let me know, and I will further clarify.

Thank You,

Mark Gruman

From: Supreme Court Clerk's Office - Cota, Terra [<mailto:TCota@ndcourts.gov>]
Sent: Wednesday, November 16, 2011 1:22 PM
To: derrick@baumstarkbraaten.com; Gruman, Mark E.; Smith, Zac B.; bbjella@crowleyfleck.com; Erickson, Ladd R.
Subject: Dakota Resource Council v. ND Public Service Commission, et al., Supreme Court No. 20110226

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VIA E-MAIL ONLY

November 16, 2011

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99 RC-08-640 Filed 11/16/2011 Pages: 2
SC APPEAL - Emails re presenting oral argument
Public Service Commission

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Ladd Ronald Erickson
State's Attorney
P.O. Box 1108
Washburn, ND 58577-1108

RE: Dakota Resource Council v. ND Public Service Commission, et al.
Supreme Court No. 20110226
Burleigh Co. No. 10-C-02329

This matter will be called for oral argument on **12/21/2011 at 2:45 pm** or as soon thereafter as the case(s) may be heard. Please immediately confirm your presence at oral argument with the Clerk's Office at 701-328-2221 or by e-mail to supclerkofcourt@ndcourts.gov. You must indicate whether you will be arguing and/or appearing. If you are only appearing, indicate whether you will be seated at counsel table.

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), upon examination of the briefs and record, the Court may decide that oral argument is unnecessary and cancel oral argument.

Enclosed for your information is the Court's weather policy.

Sincerely yours,

Penny Miller
Clerk
North Dakota Supreme Court

Attachment

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