

STATE OF NORTH DAKOTA  
OFFICE OF ATTORNEY GENERAL

STATE CAPITOL  
600 E BOULEVARD AVE DEPT 125  
BISMARCK, ND 58505-0040  
(701) 328-2210 FAX (701) 328-2226  
www.ag.nd.gov

Wayne Stenehjem  
ATTORNEY GENERAL

CIVIL LITIGATION  
500 NORTH 9<sup>TH</sup> STREET  
BISMARCK, ND 58501-4509  
(701) 328-3640 FAX (701) 328-4300

July 23, 2009

**RECEIVED**

JUL 23 2009

Allen Hoberg  
Office of Administrative Hearings  
1707 North 9<sup>th</sup> Street  
Bismarck, ND 58501-1882

**PUBLIC SERVICE COMMISSION**

Re: Polar Communications Mutual Aid Corp. v. Qwest Corporation and Information Technology Department, and agency of the State of North Dakota;  
Civil No. PU-09-111

Dear Mr. Hoberg:

Enclosed is a Stipulation of Dismissal executed by counsel for complainant Polar Communications Mutual Aid Corp. and respondent Information Technology Department. Because the Information Technology Department is dismissed from this action, I do not intend to participate in the August 7, 2009 prehearing conference unless you request I do so.

Thank you.

Sincerely,

Douglas A. Bahr  
Solicitor General

jjt  
Enclosures

cc: Darrell Nitschke (w/encs.)  
Michael S. Raum (w/encs.)  
Kari Reichert (w/encs.)  
Jason D. Topp (w/encs.)

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BEFORE THE PUBLIC SERVICE COMMISSION  
OF NORTH DAKOTA

Polar Communications Mutual Aid Corp.,  
Complainant,

v.

Qwest Corporation and Information Technology  
Department, and agency of the State of  
North Dakota,

Respondents.

**STIPULATION OF  
DISMISSAL**

**Civil No. PU-09-111**

This Stipulation of Dismissal is between Polar Communications Mutual Aid Corporation (hereafter "the Complainant"), through its attorney of record, Michael S. Raum, and the Information Technology Department (hereafter "ITD"), through one of its attorneys, Solicitor General Douglas A. Bahr.

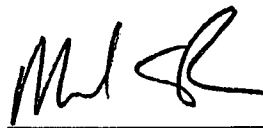
The above-entitled Action having been agreed to be settled between Polar and ITD,

IT IS HEREBY MUTUALLY STIPULATED AND AGREED that any and all of the Complainant's claims in the Action that were set forth in the pleadings or that could have been set forth in the pleadings against ITD are hereby dismissed with prejudice and without costs, disbursements, or attorneys' fees to any party.

IT IS FURTHER STIPULATED AND AGREED that an Order of Dismissal and a Judgment of Dismissal dismissing with prejudice the Complainant's claims may be entered without further notice to any party.

Dated this 21<sup>st</sup> day of July, 2009.

By:



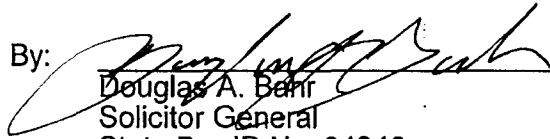
Michael S. Raum  
Kari R. Reichert  
Vogel Law Firm  
218 NP Ave N., PO Box 1389  
Fargo, ND 58107-1389  
Telephone (701) 237-6983

Attorneys for Complainant.

Dated this 22<sup>nd</sup> day of July, 2009.

State of North Dakota  
Wayne Stenehjem  
Attorney General

By:



Douglas A. Bair  
Solicitor General  
State Bar ID No. 04940  
Office of Attorney General  
500 North 9<sup>th</sup> Street  
Bismarck, ND 58501-4509  
Telephone (701) 328-3640  
Facsimile (701) 328-4300

Attorneys for Respondent Information  
Technology Department.