

APPROVED

DATE: 2-20-13
[Signature]

MOTION

February 20, 2013

**Smith Contracting, Inc. vs. ND PSC
Burleigh County Dist. Court**

Civil No. 08-2011-CV-01887

**Buechler/Velva
2010 Construction
Project**

Case No. AM-10-37

I move the Commission execute the Settlement Agreement and Mutual Release, and authorize staff and counsel to perform the necessary actions to complete the settlement, in Smith Contracting, Inc. v. ND PSC, Civil No. 08-2011-CV-01887, Buechler/Velva 2010 Construction Project, Case No. AM-10-37.