



April 29, 2013

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VIA E-MAIL ONLY

Illona A. Jeffcoat-Sacco
Attorney at Law
Public Service Commission
State Capitol
Bismarck, ND 58505-0480

Re: Missouri Valley Communications v. ND Public Service Commission, et al
(Federal District Court Case No. 4:12-cv-091)

Dear Ms. Jeffcoat-Sacco:

Enclosed is a copy of the Judgment in a Civil Case with regard to the above-captioned matter.

Respectfully,

Sara Forsberg
Legal Assistant to Mitchell D. Armstrong

Sheldon A. Smith*
Randall J. Bakke***
Scott K. Porsborg***
Suzanne M. Schweigert*
Mitchell D. Armstrong**
Shawn A. Grinolds**
Stacy M. Moldenhauer**
David J. Smith**
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tmh
enclosure

Jeffcoat-Sacco.2

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Specialist by National Board
of Trial Advocacy

Local AO 450 (rev. 5/10)

United States District Court
District of North Dakota
Northwestern Division

Missouri Valley Communications, Inc.,

Plaintiff,

JUDGMENT IN A CIVIL CASE

vs.

North Dakota Public Service Commission;
Kevin Cramer, Bonny Fetch, and Brian Kalk,
in their official capacities as Commissioners of
the North Dakota Public Service Commission;
and Midcontinent Communications, a South
Dakota Partnership,

Case No. 4:12-cv-091

Defendants

-
- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.
- Decision on Motion.** This action came before the Court on motion. The issues have been considered and a decision rendered.
- Stipulation.** This action came before the court on motion of the parties. The issues have been resolved.
- Dismissal.** This action was voluntarily dismissed by Plaintiff pursuant to Fed. R. Civ. P. 41(a)(1)(ii).

IT IS ORDERED AND ADJUDGED:

Pursuant to the Order entered on April 16, 2013, the Court DENIES Missouri Valley Communication's motion for summary judgment (Docket No. 16); GRANTS the North Dakota Public Service Commission's motion for summary judgment (Docket No. 21); and GRANTS Midcontinent Communication's motion for summary judgment (Docket No. 24).

Date: April 26, 2013

ROBERT J. ANSLEY, CLERK OF COURT

by: /s/ Renee Svihl, Deputy Clerk