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Subject: Notification of Service for Case No. 08-2015-CV-01056 (Casey Voigt vs. North Dakota Public Service Commission and Coyote Creek Mining Company, LLC)

This is a service filing for Case No. 08-2015-CV-01056, Casey Voigt vs. North Dakota Public Service Commission and Coyote Creek Mining Company, LLC.

Date Submitted: 6/8/2015 5:03:27 PM

Filing Code: Affidavit

Filing Desc: Affidavit of JJ England in Support of Motion to Amend Notice of Appeal and Specifications of Errors

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Casey Voigt,)
)
 Appellant,)
)
 vs.)
)
 North Dakota Public Service Commission)
 and Coyote Creek Mining Company,)
 L.L.C.,)
)
 Appellees.)
)
)
)

Case No. 08-2015-CV-01056
 Agency Case No. RC-13-850
 OAH File No. 20140505

**AFFIDAVIT OF JJ ENGLAND IN
 SUPPORT OF MOTION TO AMEND
 NOTICE OF APPEAL AND
 SPECIFICATIONS OF ERRORS**

STATE OF NORTH DAKOTA)
)ss.
 COUNTY OF BURLEIGH)

JJ England, being duly sworn, states under oath as follows:

1. I am an attorney for Appellant Casey Voigt in the above-captioned action and am fully familiar with the facts concerning this matter. I respectfully submit this affidavit in support of Mr. Voigt's unopposed motion to amend the Notice of Appeal originally filed before this court on May 14, 2015.
2. Mr. Voigt's initial notice of appeal incorrectly listed both Julie Voigt and Casey Voigt as Appellants. Casey Voigt was the only individual that should have been listed in the caption of the case and in the Notice of Appeal.
3. I have conferred with counsel for all parties by electronic mail on June 8, 2015, in order to correct this error. All parties have had the opportunity to review the First Amended Notice of Appeal attached hereto as Exhibit 1, which is the same Notice of Appeal that we would file with leave of this Court. This First Amended Notice of Appeal

makes ministerial changes only. This motion and the proposed changes are unopposed by all parties.

Dated this 8th day of June, 2015.

JJ England
JJ England

STATE OF NORTH DAKOTA)
)ss.
COUNTY OF BURLEIGH)

On this 8th day of June, 2015, before me personally appeared JJ England, known to me to be the same person who is described in and who executed the within document, and acknowledged to me that he executed the same.

DONNA M ABRAHAMSON
Notary Public
State of North Dakota
My Commission Expires May 27, 2017

Donna M. Abrahamson