

**Richter, Susan K.**

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**Sent:** Wednesday, September 07, 2016 11:21 AM  
**To:** Richter, Susan K.  
**Subject:** Notification of Service for Case No. 18-2015-CV-00240 ( Public Service Commission, et al. vs. Grand Forks Bean Company, Inc. )

This is a service filing for Case No. 18-2015-CV-00240, Public Service Commission, et al. vs. Grand Forks Bean Company, Inc..

Date Submitted: 9/7/2016 11:19:58 AM CDT

Filing Code: Letter

Filing Desc: Letter to Supreme Court 9-7-16

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**400 GE-15-36** Filed: 9/7/2016 Pages: 4  
**SC APPEAL – Notification of Service - Letter to  
Supreme Court re remand**

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September 7, 2016

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Re: *Public Service Commission v. Grand Forks Bean Company, Inc., et. al.*  
Supreme Court No.: 2016 0303  
GF County No.: 2015-cv-00240

Dear Ms. Miller:

I represent respondent Auto-Owners Insurance Company in the above matter. It is my understanding that Bremer Bank filed a Notice of Appeal in your office, regarding this case, on September 2, 2016.

On behalf of my client, Auto-Owners Insurance Company, I filed on August 24, 2016, in the District Court, a motion, notice of motion, and brief in support of motion for post-judgment relief under Rules 52(b), 59(j) and 60(b), N.D.R.Civ.P. Please refer to Doc. Id. Nos. 436, 437, 438 and 439 in the District Court Register of Actions.


When Bremer Bank filed its Notice of Appeal on September 2, 2016, the District Court had not yet ruled upon my motions filed on August 24.

While Rule 4(a)(3)(A)(vi), N.D.R.App.P., essentially refers to this situation in reverse, I am notifying the Court of this development and respectfully request that the Court remand this case back to the District Court, on a limited nature, so that the District Court can decide the pending motions of Auto-Owners. I understand that the Supreme Court would retain jurisdiction on remand pending a decision from the District Court.

I am not sure if the Rules require me to submit a formal motion with your office as opposed to this more informal letter. If the former, please notify me and I will be happy to file a more formal motion at once. However, in the event your office will accept this request via this letter, I would appreciate it if you would forward this to the Supreme Court for their consideration and potential limited remand.

Thank you very much for your attention to this matter and please let me know if you have any questions or concerns.

Sincerely,



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MJM:tlh

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Clerk of District Court  
Scott Johnson ~ Court Administrator  
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