

**Jeffcoat-Sacco, Illona**

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**From:** Miller, Penny <PMiller@ndcourts.gov>  
**Sent:** Thursday, September 08, 2016 4:17 PM  
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'bschmidt@smithbakke.com'; Jeffcoat-Sacco, Illona; 'jbrakke@vogellaw.com'; Jensen,  
Jon J.; Adams, Marie; (COC) 18 Grand Forks Civil Clerk  
**Subject:** Public Service Commission v. Grand Forks Bean Company, Inc., et al., Supreme Court No.  
20160303  
**Attachments:** 20160303\_O\_remand.pdf

*SUPREME COURT OF NORTH DAKOTA  
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**VIA E-MAIL ONLY**

September 8, 2016

Michael J. Morley  
Morley Law Firm, Ltd.  
4000 Garden View Dr., Ste. 100  
P.O. Box 14519  
Grand Forks, ND 58208-4519

RE: Public Service Commission v. Grand Forks Bean Company, Inc., et al.  
Supreme Court No. 20160303  
Grand Forks Co. No. 2015-CV-00240

Pursuant to the enclosed Order of Remand, I am returning this matter to the Clerk of Court of Grand Forks County today for the purpose of the district court's disposition of the pending motion.

The transcript remains due November 6, 2016

Sincerely yours,

**Penny Miller**

Clerk  
North Dakota Supreme Court

Enc.  
pc & enc.: Russell John Melland

**429 GE-15-36** Filed: 9/8/2016 Pages: 3  
SC APPEAL – Letter acknowledging Order of  
Remand – return to District Court

North Dakota Supreme Court - Office of the Clerk  
Penny Miller, Clerk, ND Supreme Court

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Illona A. Jeffcoat-Sacco  
Marie Adams, Court Recorder  
Honorable Jon J. Jensen  
Rebecca Absey, Clerk of District Court (via Odyssey)

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

**ORDER OF REMAND**

Supreme Court No. 20160303  
Grand Forks Co. No. 2015-CV-00240

**Public Service Commission,**

**v.**

**Grand Forks Bean Company, Inc., and  
Auto-Owners Insurance Company,  
and  
Bremer Bank, National Association,**

**Petitioner and Appellee**

**Respondents and Appellees**

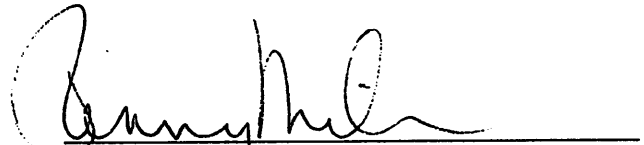
**Interested Party and Appellant**

[¶1] On September 2, 2016, a notice of appeal was filed by Bremer Bank in this matter. Prior to the filing of the notice of appeal, a motion for post-judgment relief under N.D.R.Civ.P. 52(b), 59(j) and 60(b), was filed by Auto-Owners Insurance Company. A request for a limited remand so the district court can take action on the pending motion was received September 7, 2016, from Auto-Owners Insurance Company.

[¶2] IT IS HEREBY ORDERED, that this case is temporarily remanded to the district court for 45 days for the limited purpose of consideration and disposition of the pending motion for post-judgment relief under N.D.R.Civ.P. 52(b), 59(j) and 60(b)

[¶3] IT IS FURTHER ORDERED, that upon completion of this remand by the district court, the Clerk of the Grand Forks County District Court file an updated Certificate of Record.

[¶4] Entered the 8<sup>th</sup> day of September, 2016, under the provisions of North Dakota Supreme Court Administrative Rule 5.



Penny Miller  
Clerk  
North Dakota Supreme Court

