

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

Public Service Commission,

Petitioner,

-vs-

Grand Forks Bean Company, Inc.,

and

Auto-Owners Insurance Company

Respondents.

PSC Case No. GE-15-36

Supreme Court No. 20160303

**STIPULATION FOR APPELLATE
BRIEFING SCHEDULE**

Grand Forks County District Court
Civil No. 18-2015-CV-00240

[¶1] **WHEREAS**, the Petitioner Public Service Commission; Respondent Auto-Owners Insurance Company (“Auto-Owners”); Claimants Beth Nelson, as Assignee of the Estate of Brad Nelson (“Nelson Estate”), and Curt Amundson (“Amundson”); and Claimant Bremer Bank, National Association (“Bremer Bank”), have filed Notices of Appeal in the above noted matter.

[¶2] **WHEREAS**, Claimants Brent Baldwin, Baldwin Farms, Inc., Duane Altendorf, Ronald Adams, Nicholas Adams, Chuck Nelson, and WJS Nelson have not filed a notice of appeal, but did appear, through counsel, in the above noted matter.

[¶3] **WHEREAS**, a result of the complicated nature of the matters raised in the Notices of Appeal, the North Dakota Supreme Court has requested that the parties submit a proposed briefing schedule by September 30, 2016, that includes an opening brief due 40 days after filing of the transcript.

[¶4] **WHEREAS**, the undersigned parties have agreed and stipulated to the enclosed briefing schedule.

STIPULATION

[¶5] The undersigned parties, through counsel, hereby agree, stipulate, and jointly move the North Dakota Supreme Court to approve and issue an appellate briefing schedule as follows:

- A. Forty (40) days after the transcript is filed, Bremer Bank, Nelson Estate and Amundson (as one common brief), and Auto-Owners shall submit opening briefs on the issue identified in their respective notices of appeal.
- B. Seventeen (17) days after the last brief described in ¶ 5(A) is filed, the Public Service Commission shall submit a combined answer brief and its opening brief. The combined answer and opening brief is limited to the issues raised in the Public Service Commission's notice of appeal and to respond to the issues raised in the opening briefs of Bremer Bank, Nelson Estate and Amundson, and Auto-Owners.
- C. Seventeen (17) days after the Public Service Brief described in ¶5(B) is filed, Brent Baldwin, Baldwin Farms and Duane Altendorf (as one common brief among them) and Ronald Adams, Nicholas Adams, Chuck Nelson, and WJS Nelson (as one common brief among them), shall submit answer briefs to the opening briefs of Bremer Bank, Nelson Estate and Amundson, and Auto-Owners as outlined in ¶5(A) and the opening brief of the Public Services Commission as outlined in ¶5(B).
- D. Seventeen (17) days after the last brief identified in ¶5(C) is filed, Bremer Bank, Nelson Estate and Amundson (as one common brief among them), and Auto-Owners shall each submit a reply brief limited in scope to responding to the issues raised by the answer briefs of the Public Service Commission and the respective answer briefs of Brent Baldwin, Baldwin Farms, Duane Altendorf, Ronald Adams, Nicholas Adams, Chuck Nelson and WJS Nelson.
- E. Seventeen (17) days after the last brief identified in ¶5(D) is filed, the Public Service Commission shall submit a reply brief limited to responding to the issues raised in respective answer briefs of Bremer Bank, Nelson Estate and Amundson, Auto-Owners, Brent Baldwin, Baldwin Farms, Duane Altendorf, Ronald Adams, Nicholas Adams, Chuck Nelson, and WJS Nelson.

DATED: September 29, 2016

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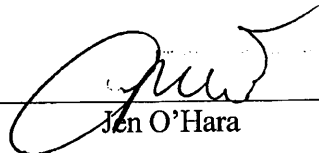
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and via U.S. Mail to the following:

Tad McGurk
Registered Agent for Grand Forks Bean Company, Inc.
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To the best of your affiant's knowledge, information, and belief, such address as given above was the actual email address of the party intended to be so served. That the above document was duly served in accordance with the provisions of the North Dakota Rules of Civil Procedure and the North Dakota Rules of Appellate Procedure.

Dated this 30th of September, 2016.



Jen O'Hara

Subscribed and sworn to before me in Grand Forks County, North Dakota, on September 30th, 2016.



Notary Public, North Dakota

