

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

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Casey Voigt and Julie Voigt,	)	
	)	
Appellants,	)	Case No: 08-2023-CV-01338
	)	
v.	)	Case No. [REDACTED] 01964
	)	
North Dakota Public Service Commission	)	<b>STIPULATED MOTION TO</b>
and Coyote Creek Mining Company, LLC,	)	<b>CONSOLIDATE AND TO EXTEND</b>
	)	<b>DEADLINES</b>
Appellees.	)	
	)	

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[¶1] WHEREFORE Appellants Casey and Julie Voigt, and Appellees North Dakota Public Service Commission and Coyote Creek Mining Company, LLC, by and through the attorneys of record, agree that Burleigh County Civil No. 08-2023-CV-01964 should be consolidated with Burleigh County Civil No. 08-2023-CV-01338 and

[¶2] The parties further agree that both cases arise from the same series of events and present common questions of both fact and law, and the record for this additional appeal overlaps significantly if not entirely with the record for the pending appeal; and

[¶3] Consolidating the two cases is in the interest of judicial efficiency;

[¶4] IT IS THEREFORE STIPULATED AND AGREED that all parties to the above-captioned actions jointly move this Court pursuant to N.D.R.Civ.P. 42(a)(2) for an order consolidating Burleigh County Civil No. 08-2023-CV-1964 with Burleigh County Civil No. 08-2023-CV-01338 for the purpose of allowing all issues in both current actions to be addressed in one, single action. The parties further stipulate and move to extend all deadlines by 30 days in order to allow time to compile the record on appeal and consolidate these matters before briefing.

DATED this 5<sup>th</sup> day of September, 2023.

**BRAATEN LAW FIRM**

*/s/ Derrick Braaten*

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*Attorneys for Appellants*

DATED this 5<sup>th</sup> day of September, 2023.

*/s/John Schuh*

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North Dakota Public Service  
Commission*

DATED this 5<sup>th</sup> day of September, 2023.

**CROWLEY FLECK PLLP**

*/s/Wade Mann*

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