
Casey Voigt and Julie Voigt,)	
)	
Appellants,)	Case No: 08-2023-CV-01338
)	
v.)	
)	STIPULATION AND REQUEST FOR
North Dakota Public Service Commission)	STAY
and Coyote Creek Mining Company, LLC,)	
)	
Appellees.)	
)	

[¶1] On June 8, 2023, Appellants Casey and Julie Voigt (“Voigts”) filed their notice of appeal (Index #1). On July 19, 2023, Appellees North Dakota Public Service Commission (“PSC”) filed its Certificate of Record (Index #96). A briefing schedule was issued on July 20, 2023 (Index #98) with extensions granted on August 10, 2023 and September 11, 2023 (Index ##104, 118). On August 23, 2023, Voigts filed their notice of appeal in 08-2023-CV-01964. The parties filed a stipulation to consolidate the matters on September 6, 2023 (Index #115). An Order consolidating the matters was docketed on September 11, 2023 (Index #118).

[¶2] The parties have conferred regarding solutions for resolution of the disputes raised by these appeals and have agreed to make an attempt at addressing the issues constructively with the agency, and stipulate and agree to the following:

- a. This matter will be stayed until the conclusion of the following events.
- b. Within 60 days from the date of the order to stay, the Voigts will file a complaint with the PSC asking to hold a formal hearing to address these matters through

an adjudicative proceeding under the North Dakota Administrative Agencies Practice Act at N.D.C.C. ch. 28-32.

- c. If the PSC agrees to schedule and hold a formal hearing and issue a final decision adjudicating the claims through an adjudicative proceeding as defined by N.D.C.C. § 28-32-01(1), the Voigts agree to dismiss this appeal with prejudice within three business days of a PSC determination accepting the complaint and agreeing to address the matter pursuant to applicable law and rules. The parties agree this does not foreclose the ability to ask for a formal hearing or appeal from Coyote Creek Mining Company's application for Revision 12 of its permit or other matters before the Public Service Commission for which the Voigts would have a right to a hearing or appeal.

DATED this 15th day of September, 2023.

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DATED this 20th day of September, 2023.

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DATED this 20th day of September, 2023.

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