

STATE OF NORTH DAKOTA

DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

APH FARMS, ARDEN HAGEROTT,  
JONATHAN HAGEROTT, JANEL  
OLSON, VALERA HAYEN, KARI  
CURRAN, SCOTT IRMEN, MARY JO  
IRMEN, LEON MALLBERG, STAROBA  
REVOCABLE LIVING TRUST, LOREN  
STAROBA, DIANE STAROBA, JAMES  
TIEGS,

Appellants,

v.

NORTH DAKOTA PUBLIC SERVICE  
COMMISSION, SCS CARBON  
TRANSPORT, LLC, JOHN H. WARFORD,  
JR. REVOCABLE TRUST, CHAD  
WACHTER, CHAD MOLDENHAUER,  
CITY OF BISMARCK, LABORERS  
DISTRICT COUNCIL OF MINNESOTA  
AND NORTH DAKOTA, EMMONS  
COUNTY, and BURLEIGH COUNTY,

Appellees.

**REQUEST FOR HEARING**  
**(oral argument)**

Case No. 08-2024-CV-03622

1. COMES NOW Appellants by and through their attorneys KNOLL LEIBEL LLP (Steven J. Leibel and David M. Knoll) and hereby requests an oral argument hearing in this administrative appeal.

2. Briefing will not be complete until April 6, 2026. [Doc. 492]

3. Appellants respectfully request oral argument be set for one-half day (three (3) hours) to accommodate all parties.

Dated this 20<sup>th</sup> day of February, 2026.

Respectfully submitted,

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*/s/ Steven J. Leibel*

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Steven J. Leibel (ID 07361)