

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

APH Farms, Arden Hagerott, Jonathan Harerott,
Janel Olson, Valera Hayen, Kari Curran, Scott
Irmen, Mary Jo Irmen, Leon Mallberg, Staroba
Revocable Living Trust, Loren Staroba, Diane
Staroba, James Tiegs,

Appellants,

vs.

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.

Case No. 08-2024-CV-03622

**NOTICE REGARDING
ORAL ARGUMENT**

[¶1] This matter is presently scheduled for an oral argument on July 14, 2026, at 1:30 PM by reliable electronic means. On June 11, 2026, the Court received a letter from Appellants' counsel indicating there may be significant public interest in the hearing. (R:968). Counsel indicates he contacted the Burleigh County Clerk of District Court inquiring whether the Zoom program could allow fifty or more participants to remotely attend the oral argument and was directed to bring the issue to the Court's attention.

[¶2] It would be difficult to accommodate the number of attendees identified by Appellants' counsel in a Zoom hearing. Attorneys for the parties could get lost in the crowd and the Court would have to manage attendees attempting to remotely enter the hearing.

[¶3] Nevertheless, the courts of North Dakota are open to the public and every citizen may freely attend with limited exceptions. *See* N.D.C.C. § 27-01-02; N.D. Const. art. I, § 9. The oral argument should be accessible to any member of the public wishing to observe. Accordingly, the Court will attempt to make the hearing available to the public using the South Central Judicial

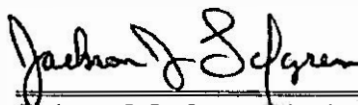
District's YouTube livestream which was used during the COVID 19 pandemic to promote public access to court proceedings. The livestream may be accessed through the South Central Judicial District's informational page on the North Dakota Court System's website:

<https://www.ndcourts.gov/court-locations/South-Central>

[¶4] IT IS SO ORDERED.

Dated June 30, 2026.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Jackson J. Lofgren", written over a horizontal line.

Jackson J. Lofgren, District Judge
South Central Judicial District