

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.

**DEMAND FOR
CHANGE OF JUDGE**

Case No. 08-2024-CV-03622

APPELLANTS, by and through their undersigned attorneys, respectfully submit this Demand for Change of Judge pursuant to N.D.C.C. § 29-15-21.

1. This case pertains to an Appeal from the November 15, 2024 Findings of Fact, Conclusions of Law, and Order by the North Dakota Public Service Commission, the February 7, 2024 Order, and the August 4, 2023 Order on Protection of Information.

2. The judge sought to be disqualified is the Honorable James S. Hill.

Judge Hill was assigned to this case on **December 13, 2024**, the same date this appeal was filed with the Court by Appellants.

3. As required by N.D.C.C. § 29-15-21(4), Appellants certify that Judge Hill has not ruled on any matter pertaining to this action in which the moving party was heard or had an opportunity to be heard.

4. This demand is timely pursuant to N.D.C.C. § 29-15-21(2)(A).

5. This demand is filed in good faith and not for purposes of delay. N.D.C.C. § 29-15-21(4).

6. Pursuant to N.D.C.C. § 29-15-21(1)(b), undersigned counsel has permission from the Appellants to make this demand for change of Judge. Proof of mailing, certifying that a copy of the Demand for Change of Judge has been sent to the Appellants, is filed herewith.

Dated this 20th day of December, 2024.

Respectfully submitted,

KNOLL LEIBEL LLP

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