

STATE OF NORTH DAKOTA

IN SUPREME COURT

Case No.: _____

Wano Township, Willowbank
Township, Russell Township, Corwin
Township, Valley Township, Mike
Bartel, Patty Bartel, Richard Long,
Susan R. Long, Steven Nelson, Julia
Nelson, Phyllis P. Otterness, Patricia
A. Vick, Brandon Schweigert, Tausha
Schweigert, Shockman Farm
Partnership, LLLP, Debra Sue Wald,
Lucas Wald, Jill Wald, Tim Leppert,
Orr Farms, Steve M. Rupp, Sandra J.
Rupp, David A. Schweigert, Denette
M. Schweigert, Allen D. Swiontek,
Inna N. Swiontek, David Wald, Holly
Wald, Weston Wald, and Willowbank
Hutterian Brethren Association,

Appellants,

v.

North Dakota Public Service
Commission, Otter Tail Power
Company, and Montana-Dakota
Utilities Co.,

Appellees.

**AFFIDAVIT OF DOUGLAS J. NILL
IN SUPPORT OF PRO HAC VICE APPEARANCE**

I, Douglas J. Nill, being first duly sworn upon oath, depose and state that the following is true and correct based upon my personal knowledge:

1. I am an attorney with Douglas J. Nill, PLLC, 1850 Fifth Street Towers, 150 South Fifth Street, Minneapolis, Minnesota 55402. Telephone: (612) 573-3669. Email: dnill@farmlaw.com.

2. I am admitted and licensed to practice law in the following jurisdictions: State of Minnesota (since 1988) (Minnesota Bar No. 0194876); United States District Court for the District of Minnesota (since 1991); and Supreme Court of the United States (since 2004). I am in good standing in each jurisdiction.

3. I am not a resident of North Dakota, and I am not admitted to practice law in North Dakota.

4. I am not presently subject to any disciplinary proceeding in any jurisdiction.

5. I am not under any restriction or probation in the practice of law in any jurisdiction.

6. I am not presently, and have never been, suspended or disbarred from the practice of law in any jurisdiction. In the mid-1990s, I received a private admonition from the Minnesota Office of Lawyers Professional

Responsibility; it did not result in any discipline affecting my license or good standing.

7. I previously obtained permission to appear pro hac vice in this action in Burleigh County District Court, Case No. 08-2025-CV-02068, and in the related underlying administrative proceeding before the North Dakota Public Service Commission, including PSC Docket No. PU-24-91. This affidavit is submitted as an updated affidavit in support of my pro hac vice appearance in this appeal pursuant to N.D. Admission to Practice Rule 3(A)(5)(a).

8. During the preceding three (3) years, I have appeared in the following North Dakota actions/proceedings: (a) North Dakota Public Service Commission Docket No. PU-24-91 (pro hac vice permission granted in 2025); (b) Wano Township, et al. v. North Dakota Public Service Commission, et al., Burleigh County District Court Case No. 08-2025-CV-02068 (pro hac vice permission granted in 2025); and (c) North Dakota Public Service Commission Docket No. PU-25-236 (pro hac vice permission granted in 2026). Other than the foregoing, I have not appeared in any North Dakota action or proceeding during the preceding three (3) years. I have registered under N.D.

Admission to Practice Rule 3 and have been assigned Rule 3 Registration No. P00392.

9. I appeared pro hac vice with local counsel in a personal injury case in Rugby, North Dakota, in 2000, and I argued an appeal before the North Dakota Supreme Court in *Sollin v. Wangler*, 2001 ND 96, 627 N.W.2d 159 (N.D. 2001).

10. I will continue to associate with and be sponsored by North Dakota counsel Steven J. Leibel (N.D. Bar No. 07361), Knoll Leibel LLP, P.O. Box 858, 1915 N. Kavaney Drive, Suite 3, Bismarck, North Dakota 58502. Mr. Leibel is a member in good standing of the North Dakota Bar and will actively participate in this appeal as required.

11. I have read, am familiar with, and will comply with the North Dakota Rules of Court, the North Dakota Rules of Appellate Procedure, and the North Dakota Rules of Professional Conduct. I submit to the disciplinary authority of North Dakota for conduct in this matter.

12. I certify that the annual pro hac vice fee required by Rule 3 has been paid to the North Dakota State Board of Law Examiners for calendar year 2026, and that I am in compliance with the Rule 3 continuing appearance requirements.

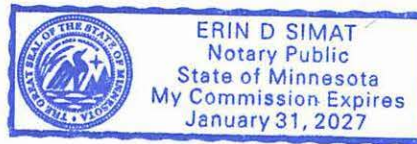
FURTHER AFFIANT SAYETH NOT.


Dated: February 13, 2026



Douglas J. Nill (MN Bar No. 0194876)
ND Rule 3 Registration No. P00392

Subscribed and sworn to before me
this 13th day of February, 2026.





Notary Public

My Commission Expires: 1/31/27