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August 24, 2021

Mr. Larry Janes
Executive Director
SD One Call Board
PO Box 187
Rapid City, SD 57709
exedir@sdonecall.com

Ms. Codi Gregg
Deputy Director
South Dakota 811
PO Box 187
Rapid City, SD 57709
deputydirector@sd811.com

Re: OC20-059/OHE21-01
In the Matter of the Complaint filed by Montana Dakota Utilities,
Rapid City, SD Against Williams Service, Lead, SD for an Incident
Occurring on August 25, 2020 at 313 Grand Avenue, Lead, SD

Dear Folks:

Enclosed herewith please find Stipulation which has been signed by the undersigned and Attorney Johns. The original will be sent via hard copy in the mail. I understand the One-Call Board considered the same at their meeting last week although I am uncertain as to the outcome of their discussion. Hence, if the Board approved the stipulation, we would appreciate it if you would present the same to Ms. Jandreau for execution.

Thank you.

Very truly yours,

RITER ROGERS, LLP

BY:

A handwritten signature in black ink that reads 'Lindsey Riter-Rapp'. Below the signature, the name 'Lindsey Riter-Rapp' is printed in a standard font.

Lindsey Riter-Rapp

LRR-wb

Enclosure

Cc: Timothy Johns

Robert C. Riter, Jr
A. Jason Rumpca

Darla Pollman Rogers
Jerry L. Wattier of Counsel

Lindsey Riter-Rapp
Kody R. Kyriss, Associate

SOUTH DAKOTA ONE CALL BOARD
OFFICE OF HEARING EXAMINERS
PIERRE, SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY MONTANA DAKOTA UTILITIES, RAPID CITY, SD AGAINST WILLIAMS SERVICE, LEAD, SD, FOR AN INCIDENT OCCURRING ON AUGUST 25, 2020 AT 313 GRAND AVENUE, LEAD, SD.	OC 20-059 OHE 21-01 STIPULATION
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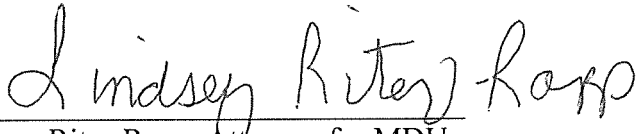
COMES NOW the undersigned, Lindsey Riter-Rapp as attorney for Montana Dakota Utilities (“MDU”) and Timothy Johns as attorney for Williams Services and/or Alan Williams (“Williams”) and hereby stipulate and agree as follows:

1. Williams will file a dismissal of his appeal currently pending in Circuit Court, Fourth Judicial Circuit Court in 40CIV21-136 with prejudice and without costs.
2. Upon dismissal of the appeal, the South Dakota One Call Board will enter an Order setting aside the Findings of Fact and Conclusions of Law entered by the Board on June 22, 2021, and dismissing in its entirety any and all proceedings in the action against Williams in file OC 20-059 and OHE 21-01 with prejudice and without costs.
3. Both parties agree that this Stipulation is in full satisfaction of any and all issues and claims between the parties as relates to the circumstances involved herein

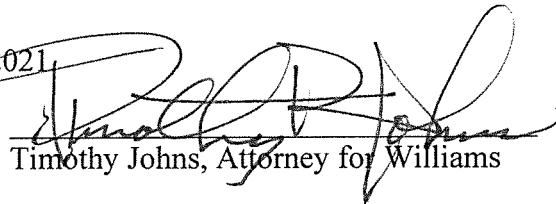
Therefore, by such stipulation the parties respectfully request that immediately upon dismissal of Williams’ appeal currently pending in Circuit Court, Fourth Judicial Circuit Court in

40CIV21-136 with prejudice and without costs to either party, the South Dakota One Call Board will enter its Order setting aside the Findings of Fact and Conclusions of Law entered by the Board on June 22, 2021, and dismissing in its entirety any and all proceedings against Williams with prejudice and without costs to either party.

Dated this 18th day of August, 2021.


Lindsey Riter-Rapp, Attorney for MDU

Dated this 18th day of August, 2021.


Timothy Johns, Attorney for Williams

AGREED TO ON AUGUST 18, 2021 BY:

Fay Jandreau
Chairman, 811 Board