
**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION**

Verizon Wireless (VAW) LLC,
CommNet Cellular License Holding, LLC,
Missouri Valley Cellular, Inc.,
Sanborn Cellular, Inc., and
Eastern South Dakota Cellular, Inc.,
d/b/a VERIZON WIRELESS,

Plaintiff,

vs.

Steve Kolbeck, Gary Hanson, and Dustin
Johnson, in their official capacities as
the Commissioners of the South Dakota
Public Utilities Commission,

Defendants,

South Dakota Telecommunications Ass'n
and Venture Communications Cooperative,

Intervenors.

Civil Number 04-3014

**[PROPOSED] ORDER GRANTING
STIPULATED MOTION TO REMOVE
THE STATE OF SOUTH DAKOTA AS
A PARTY**

This matter came before the undersigned on Plaintiffs Verizon Wireless (VAW) LLC, CommNet Cellular License Holding, LLC, Missouri Valley Cellular, Inc., Sanborn Cellular, Inc., and Eastern South Dakota Cellular, Inc., d/b/a VERIZON WIRELESS ("Verizon Wireless"), defendants Steve Kolbeck, Gary Hanson, and Dustin Johnson, in their official capacities as the Commissioners of the South Dakota Public Utilities Commission ("Defendants"), and intervenors South Dakota Telecommunications Ass'n and Venture Communications Cooperative ("Intervenors") (collectively, the "Parties"), Stipulated Motion to Remove the State of South Dakota as a Party.

Based upon all of the files, records and proceedings herein, the Court orders as follows:

IT IS HEREBY ORDERED:

- (1) The Motion is **GRANTED** .
- (2) The State of South Dakota is removed as a party defendant in this matter.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this ____ day of _____, 2007.

BY THE COURT:

Charles B. Kornmann
United States District Judge

ATTEST:

JOSEPH A. HAAS, CLERK

By:

Deputy

(SEAL)

2082224v2

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

VERIZON WIRELESS (VAW) LLC;)
COMMNET CELLULAR LICENSE)
HOLDING LLC; MISSOURI VALLEY)
CELLULAR, INC.;)
SANBORN CELLULAR, INC.; and)
EASTERN SOUTH DAKOTA)
CELLULAR, INC. d/b/a Verizon Wireless,)

Civil No. 04-3014

CERTIFICATE OF SERVICE

Plaintiffs,)

vs.)

STATE OF SOUTH DAKOTA; SOUTH)
DAKOTA PUBLIC UTILITIES)
COMMISSION; and STEVE KOLBECK,)
GARY HANSON, and DUSTIN)
JOHNSON, in their official capacities as the)
Commissioners of the South Dakota Public)
Utilities Commission,)

Defendants,)

SOUTH DAKOTA)
TELECOMMUNICATIONS)
ASSOCIATION and VENTURE)
COMMUNICATIONS COOPERATIVE,)

Intervenors.)

I hereby certify that on October 2, 2007, I electronically filed a true and correct copy of the
Stipulated Motion To Remove The State Of South Dakota As A Party, [Proposed] Order
Granting Stipulated Motion To Remove The State of South Dakota As A Party and Certificate of

Service, relative to the above-entitled matter, with the United States District Clerk of the Court using the CM/ECF system which sent notice of electronic filing to the following:

Ms. Rolayne Ailts Wiest
rolayne.wiest@state.sd.us

Ms. Margo D. Northrup
m.northrup@riterlaw.com

Ms. Darla Pollman Rogers
dprogers@riterlaw.com

and that a true and correct copy was sent by first class mail, postage prepaid, to:

Mr. Richard D. Coit
South Dakota Telecommunications Assn.
320 East Capitol Avenue
PO Box 57
Pierre, SD 57501-0057

Dated this 2nd day of October, 2007.

/s/ Craig A. Pfeifle

Gene N. Lebrun
Craig A. Pfeifle
LYNN, JACKSON, SHULTZ & LEBRUN, P.C.
909 St. Joseph Street
P. O. Box 8250
Rapid City, SD 57709
Telephone: (605) 342-2592

Philip R. Schenkenberg
Briggs and Morgan, P.A.
2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 977-8400

ATTORNEYS FOR PLAINTIFFS