

Dustin Johnson, Chair Steve Kolbeck, Vice Chair Gary Hanson, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue Pierre, South Dakota 57501-5070 www.puc.sd.gov Capitol Office (605) 773-3201 1-866-757-6031 fax

Warehouse (605) 773-5280 (605) 773-3225 fax

Consumer Hotline 1-800-332-1782

June 18, 2009

Pennington County Sheriff's Office Attention: Civil Division 300 Kansas City Street Rapid City, SD 57701

Re: State of South Dakota v. Vince Finkhouse d/b/a Eagle Excavating Civ. 06-1141

Dear Folks:

Enclosed you will find two copies of Discovery in the above captioned matter. Please serve one copy on Vince Finkhouse d/b/a Eagle Excavating, 3209 Grandview Street, Rapid City, South Dakota. Please send us your return of service and invoice and we will promptly remit.

Thank you very much.

Very truly yours,

Kara Semmler Staff Attorney

Enc.

STATE OF SOUTH DAKOTA COUNTY OF PENNINGTON

THE STATE OF SOUTH DAKOTA,		*	CIV 06-1141
	Plaintiff,	*	
		*	
VS.		*	
		*	SDCL 15-6-69 DISCOVERY
		*	
VINCE FINKHOUSE,		*	
d/b/a Eagle Excavating,		*	
		*	
	Defendant.	*	

TO THE ABOVE NAMED DEFENDANT:

You are hereby required according to SDCL 15-6-33(a) to separately and fully answer the interrogatories below served on you by above names plaintiff. Your answer shall be in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. The answers are to be signed by the person making them, and the objections signed by the attorney making them. You shall serve a copy of the answers and objections, if any, within thirty days after the service of the interrogatories. The above named Plaintiff, the State of South Dakota, may move for an order under 15-6-37(a) with respect to any objection to or other failure to answer interrogatory.

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO VINCE FINKHOUSE D/B/A EAGLE EXCAVATING

The State of South Dakota ("Plaintiff"), by and through a Staff Attorney, hereby

submits the following Interrogatories and Requests for Production of Documents to

Vince Finkhouse d/b/a Eagle Excavating ("Defendant"). Responses should be received

on or before June 29, 2009.

INSTRUCTIONS

1. You are required to respond to these under oath or stipulate in writing that your responses may be treated exactly as if they were filed under oath.

2. You are required to respond to each request set forth below, regardless of whether the information is in your possession, or whether the information is in the possession of any of your agents, employees, experts, partners, associates, representatives and/or attorneys, and regardless of the source thereof. At the end of each response, please identify the person or persons most knowledgeable about such response and the person or persons responsible for the preparation of such response.

3. These requests shall be deemed to be continuing. You are obligated to change, supplement, and correct all answers to the requests to conform to available information, including such information as it first becomes available to you after the answers and production of documents hereto are filed and made, should additional information become known or should information supplied in the answers or documents prove to be incorrect or incomplete.

4. If you object to any part of a request, answer all parts of such requests to which you do not object, and separately set forth the basis for the objection as to each part to which you do object.

5. A verification or signature of the answering individual or counsel is requested with the answers for these requests as an indication of the genuineness and completeness of the responses and documents provided.

INTERROGATORY 1:

State your full name and social security number.

INTERROGATORY 2: State your current address.

INTERROGATORY 3:

State your current phone numbers. Specify whether they are business, cell or landlines.

INTERROGATORY 4: Is Eagle Excavating operational?

INTERROGATORY 5:

Does Eagle Excavating have any assets? Is so, provide a detailed list.

INTERROGATORY 6:

Provide a detailed list of all real property owned by you. Include:

- a) address
- b) legal description
- c) property lienholders

INTERROGATORY 7:

Provide a detailed list of all bank accounts of any type in your name either jointly or solely. Include:

- a) The date said account was opened
- b) The balance of said account on the date of your answer.
- c) Joint account holders, if any.
- d) The type of account (savings, checking, etc.)

INTERROGATORY 8:

Provide a detailed list of all monthly income including income source.

INTERROGATORY 9:

Provide a list of all vehicles, motorcycles or recreational vehicles currently owned by you either jointly or solely. Include:

- a) Make, model and year
- b) Joint owner, if any.
- c) Date acquired
- d) Storage location

INTERROGATORY 10:

Provide a list of all vehicles either sold by your or otherwise transferred out of your name in the past year. Include:

- a) Vehicle make model and year
- b) Date sold or transferred
- c) Sale amount

d) Buyer or transferee name, address and phone number

INTERROGATORY 11:

Provide a list of all investments, retirement accounts, or other monetary assets.

Dated this 18^{++} day of June, 2009 at Pierre, South Dakota.

Kara C. Semmler Assistant Attorney General South Dakota Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501 Ph (605) 773-3201 Fax (605) 773-3809 Attorney for Plaintiff, South Dakota Public Utilities Commission