

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES

IN CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

WEGNER AUTO COMPANY, INC., a South
Dakota corporation, and the SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION, an agency of
the State of South Dakota,

Plaintiffs,

vs.

LES SUMPTION d/b/a S&S Communications and
S&S COMMUNICATIONS, a South Dakota general
partnership,

Defendants.

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CIV 09-483

**ORDER JOINING PARTIES
PLAINTIFF**

Plaintiff's Motion to Join as Parties Plaintiff ("Motion") came on for hearing before the Court on October 12, 2010, the Honorable Mark W. Barnett, Circuit Judge, presiding and the issues having been duly heard and the Court having found good and sufficient cause,

It is ORDERED

1. That Plaintiff's Motion to Join as Parties Plaintiff is granted, and the 131 Damages Awardees other than Plaintiff Wegner and whose names and addresses are set forth on Exhibit A to the Motion are joined as parties plaintiff in this action;

2. The opt-out mechanism for consent to joinder employed by Plaintiffs whereby any of the Damages Awardees who did not wish to join as plaintiffs in this action could return an opt-out form in a self-addressed, postage pre-paid envelope within 30 days after the date of service by mail upon them and thereby opt out of joinder as a plaintiff is approved as a reasonable for evidencing consent under the circumstances of this case; and

3. Service by first class mail, postage pre-paid and return service requested, is approved as an acceptable method of service upon the 131 Damages Awardees to be joined, of the Motion, the Complaint, an explanatory cover letter and the opt-out form together with a self-addressed, postage pre-paid return envelope for the opt-out form.

Dated at Pierre, South Dakota, this ____ day of _____, 2010.

BY THE COURT:

ATTEST:

Circuit Court Judge

Clerk of Courts