

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

DOCKET NUMBER TC 09-098

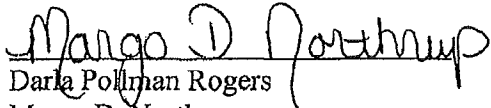
IN THE MATTER OF THE )  
COMPLAINT OF SOUTH DAKOTA )  
NETWORK, LLC, AGAINST SPRINT )  
COMMUNICATIONS COMPANY LP )  
)  
IN THE MATTER OF THE THIRD )  
PARTY COMPLAINT OF SPRINT )  
COMMUNICATIONS COMPANY LP )  
AGAINST SPLITROCK PROPERTIES, )  
INC., NORTHERN VALLEY )  
COMMUNICATIONS, INC., SANCOM, )  
INC., AND CAPITAL TELEPHONE )  
COMPANY )

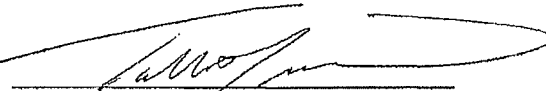
**STIPULATION REGARDING EXPERT DISCOVERY**

1. The parties to the above case, through their counsel of record, have agreed to recognize that the work product privilege in this case will extend to draft expert testimony and communications between a testifying experts and a party's attorney as set forth in Fed. R. Civ. P. 26(a)(4)(B)-(C) (amended effective December 1, 2010).

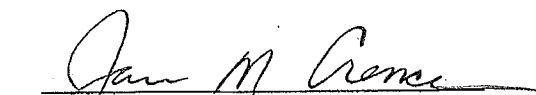
2. Pursuant to that agreement, communications between a party's counsel and its testifying expert, including redlined edits and comments to draft expert testimony, are protected from disclosure by the work product doctrine and are therefore privileged and not discoverable, except to the extent communications: 1) relate to compensation for the expert witness' study or testimony, 2) identify facts or data that the party's attorney provided and that the expert considered in forming the opinions to be expressed, or 3)

identify assumptions that the party's attorney provided and that the expert relied on in forming the opinions to be expressed.

  
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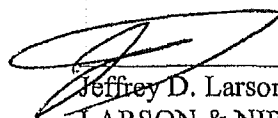


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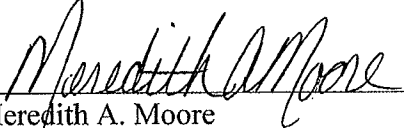


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