



attempt to resolve any disputes pursuant to SDCL 15-6-37(a), prior to seeking to exclude the exhibits.

On September 29, 2015, at the hearing, the Commission considered the Motion. After hearing argument from the parties, the Commission unanimously voted to deny Dakota Access' Motion. The Commission finds that Dakota Access failed to demonstrate why Rosebud Sioux Tribe should be prohibited from attempting to use these particular exhibits at the hearing because of Dakota Access' interrogatory requests and requests for production of documents. It is therefore

ORDERED, that the Motion to Strike Rosebud Sioux Tribe's Exhibit List Filing, and Preclude Introduction of Undisclosed Exhibits is denied.

Dated at Pierre, South Dakota, this 26th day of October, 2015.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.

By: Rayne West

Date: 10-26-15

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Gary Hanson

GARY HANSON, Commissioner

Richard L. Sattgast

RICHARD L. SATTGAST, Acting Commissioner