

From: Brett Koenecke <brett@mayadam.net>

Sent: Thursday, September 7, 2023 3:08 PM

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Subject: Withdrawal

Counsel

I am filing forthwith a withdrawal of my previously filed motion to preempt county ordinances. I do not intend to renew that motion during the currently scheduled hearings.

My client presently intends to not ask the Commission for preemption under SDCL 49-41B-28 at all. My client instead intends to attempt to work through the various issues presented by the several ordinances directly with the counties.

If for some unanticipated reason, my client would attempt to renew that motion, I would agree that your clients are entitled to a full evidentiary hearing including recalling my witnesses on that topic.

BK

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EXHIBIT

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