

Supreme Court Clerk's Office - Erck, Sarah

From: Supreme Court Clerk's Office - Erck, Sarah
Sent: Friday, October 21, 2022 1:20 PM
To: 'cneff@nefflawnd.com'
Cc: 'rpolson@minotlaw.com'; 'jmerchant@srt.com'; 'taylor@furusethlaw.com';
'jordon@furusethlaw.com'
Subject: Notice of Appeal - 4201 2nd Ave W v. First State Bank & Trust, et al., Supreme Court
No. 20220309
Attachments: 20220309_noa.pdf; rec_filing fee.pdf; dec_serv_noa.pdf

*SUPREME COURT OF NORTH DAKOTA
OFFICE OF THE CLERK
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VIA E-MAIL ONLY

October 21, 2022

Charles L. Neff
111 E. Broadway
P.O. Box 1526
Williston, ND 58802-1526

RE: 4201 2nd Ave W v. First State Bank & Trust, et al.
Supreme Court No. 20220309
Williams Co. No. 2021-CV-00979

I received the Notice of Appeal in this matter which was filed on October 17, 2022. Attached is a receipt for the filing fee. This letter, along with the attached copy of the Notice of Appeal, will serve as the required notice under N.D.R.App.P. 3(d). This letter, the notice of appeal, any order for transcript(s), and the enclosed declaration of service will be filed in Odyssey.

The clerk of the trial court shall certify the record on appeal to my office by November 16, 2022.

The file does not indicate whether the Appellant filed an Order for Transcript in accordance with the rules. If an Order for Transcript was not filed with the Notice of Appeal, the Appellant's brief is due in this office 40 days after the Notice of Appeal was filed. According to my calculation, the 40th day expires November 26, 2022.

All correspondence in this matter will be made by e-mail, including forwarding a copy of any orders or opinions filed. If we do not have an e-mail address for a party, all correspondence will be sent by U.S. Mail.

Sincerely,

/s/ Sarah Erck
Deputy Clerk
North Dakota Supreme Court

attachments

cc: Richard P. Olson & Jessica L. Klein
Taylor D. Olson & Jordon J. Evert
Clerk of District Court copied via filing in Odyssey

This email and any transmitted files attached are intended solely for the use of the individual or entity to which they are addressed, and may be confidential under the law. If you have received this email in error please notify the originator of the message.

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

UNSWORN DECLARATION OF SERVICE

Supreme Court No. 20220309
Williams Co. Court No. 2021-CV-00979

4201 2nd Ave. W., LLC, d.b.a. Safari Fuels 105,	Plaintiff and Appellant
v.	
First State Bank & Trust,	Defendant and Appellee
and	
First State Bank & Trust,	Third-Party Plaintiff
	and Appellee
v.	
4201 2nd Ave. W., LLC;	Third-Party Defendant
	and Appellant
and	
Safari Fuels Management, LLC; Topped Off Coffee, LLC;	Third-Party Defendants
and	
City of Williston,	Third-Party Defendant
	and Appellee

[¶1] Sarah Erck, states that she is of legal age and that on October 21, 2022, she served the Notice of Appeal in the above matter electronically as follows:

**Charles L. Neff at cneff@nefflawnd.com
Neff Eiken & Neff, PC
111 E. Broadway
P.O. Box 1526
Williston, ND 58802-1526**

**Richard P. Olson at rpolson@minotlaw.com
Jessica Lee Klein at jmerchant@srt.com
Olson & Burns P.C.
17 First Ave. S.E.
P.O. Box 1180
Minot, ND 58702-1180**

**Jordon Joseph Evert at jordon@furusethlaw.com
Taylor Dawn Olson at taylor@furusethlaw.com
Furuseth, Olson & Evert, P.C.
107 Main St.
P.O. Box 417
Williston, ND 58802-0417**

I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct. Signed on October 21, 2022, at Bismarck, ND, USA.

/s/ Sarah Erck
Deputy Clerk