

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER ON PETITION FOR REHEARING

Supreme Court No. 20200260
McKenzie Co. No. 2015-CV-00222

**Tesoro Great Plains Gathering & Marketing, LLC
f/k/a Great Northern Gathering & Marketing, LLC,**

Plaintiff and Appellant

v.

Mountain Peak Builders, LLC,

Defendant and Appellee

[¶1] This appeal having been considered by the Court at the April 2021 Term and an opinion having been filed on June 3, 2021 by:

[¶2] Chief Justice Jon J. Jensen, Justice Gerald W. VandeWalle, Justice Daniel J. Crothers, Justice Lisa Fair McEvers, and Justice Jerod E. Tufte;

[¶3] and a petition for rehearing having been filed by Matthew T. Collins, Kyle E. Hart, and Nathan R. Sellers, for the Appellee, and the Court having considered the matter, it is hereby **ORDERED AND ADJUDGED**, that the petition be and is hereby **DENIED**.

[¶4] **AND IT IS FURTHER ORDERED**, that this cause be and it is hereby remanded to the District Court for further proceedings according to law, and the judgment of this Court.

Dated: July 7, 2021

[¶5] Jon J. Jensen, C.J.
Gerald W. VandeWalle
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte

