

**IN THE SUPREME COURT
FOR THE STATE OF NORTH DAKOTA**

Northwest Rural Water District,

Plaintiff and Appellant,

vs.

Regional Water Service, LLC,

Defendant and Appellee.

Supreme Court No. 20220235

Appeal from Order on Motion for Partial Summary Judgment dated August 10, 2021
(Doc. No. 57) and Judgment of Dismissal with Prejudice and Without Costs, Fees, or
Disbursements to Either Party dated June 21, 2022 (Doc. No. 63)

Williams County District Court
Northwest Judicial District
The Honorable Benjamin J. Johnson
Case No. 53-2020-CV-00505

~~APPELLEE'S~~ **MOTION TO DISMISS APPEAL**
APPELLANT'S

CROWLEY FLECK PLLP
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[1] COMES NOW Appellant Northwest Rural Water District (“Appellant”), by and through its counsel of record, Trevor A. Hunter of CROWLEY FLECK PLLP, and submits this Motion to Dismiss Appeal pursuant to Rule 42(a), N.D.R.App.P. (the “Motion”).

[2] By this Motion, Appellant seeks to voluntarily dismiss this appeal. The only costs incurred in connection with this appeal to date are the initial filing fee and the fees associated with the transcript requested by Appellant. All of these costs will be borne solely by Appellant.

[3] On September 30, 2022, Michael L. Forman of BROWN PRUITT WAMBSGANSS DEAN FORMAN & MOORE, PC, counsel for Appellee Regional Water Service, LLC, filed a Motion for Leave to Withdraw as Attorney of Record (the “Motion to Withdraw”), but it does not appear that this Court has acted on the same as of the date of this Motion. As such, a copy of this Motion will be served on counsel for Appellee as well as Appellee’s last known address as set forth in the Motion to Withdraw.

[4] Appellant respectfully requests that this Court enter an order dismissing this appeal.

[5] DATED this 18th day of October, 2022.

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Attorneys for Appellee Northwest Rural Water District
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/s/ Trevor A. Hunter
TREVOR A. HUNTER (ND Bar ID #07959)
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CERTIFICATE OF SERVICE

[6] I, Trevor A. Hunter, one of the attorneys of the law firm of CROWLEY FLECK PLLP, hereby certifies that on this 18th day of October, 2022, a true and correct copy of the **APPELLEE’S MOTION TO DISMISS APPEAL** was served by **E-Mail** and by **North Dakota Supreme Court E-Filing** as follows:

Michael L. Forman
BROWN PRUITT WAMBSGANSS DEAN FORMAN & MOORE, PC
mforman@brownpruitt.com
Attorneys for Appellee Regional Water Service, LLC

/s/ Trevor A. Hunter
TREVOR A. HUNTER (ND Bar ID #07959)

[7] I, Trevor A. Hunter, one of the attorneys of the law firm of CROWLEY FLECK PLLP, hereby certifies that on this 18th day of October, 2022, a true and correct copy of the **APPELLEE’S MOTION TO DISMISS APPEAL** was served by **U.S. Mail** by depositing the same, postage prepaid, by first class mail in the United States mail at Williston, North Dakota:

Regional Water Service, LLC
6125 Airport Freeway, Suite 200A
Haltom City, Texas 76117

/s/ Trevor A. Hunter
TREVOR A. HUNTER (ND Bar ID #07959)