

Supreme Court Clerk's Office - Keller, Heather

From: Supreme Court Clerk's Office - Keller, Heather
Sent: Thursday, October 20, 2022 11:47 AM
To: 'zep@pearce-durick.com'; 'mark@fremstadlaw.com'; 'brandt@fremstadlaw.com';
'edmurphy@mtselaw.com'; 'joeelliott@mtselaw.com'; 'bencreedy@mtselaw.com'
Cc: 'wharrie@nilleslaw.com'; Matthys, Vicky; 'rknoll@abstlaw.net'
Subject: Notice of Appeal - Midwest Family Mutual Ins. Co. v. Superior Manufacturing, et al.,
Supreme Court No. 20220308
Attachments: rec_filingfee.pdf; 20220308_noa.pdf; dec_serv_noa.pdf

*SUPREME COURT OF NORTH DAKOTA
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VIA E-MAIL ONLY

October 20, 2022

Zachary E. Pelham
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R. Edward Murphy
Joseph W. Elliott
Benjamin S. Creedy
Murphy, Taylor, Siemens & Elliott, P.C.
3007 Frederick Ave.
St. Joseph, MO 64506

RE: Midwest Family Mutual Ins. Co. v. Superior Manufacturing, et al.
Supreme Court No. 20220308
Cass Co. No. 2021-CV-03028

I received the \$125 filing fee and the Notice of Appeal in this matter which was filed on October 17, 2022. I am enclosing 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 indicates that a transcript has been ordered in this matter. When the order for transcript(s) is transmitted to the Court Reporter or Recorder by the Clerk of District Court, we will provide a deadline for the transcript.

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.

The Affidavits in Support of Admission to Practice Pro Hac Vice of R. Edward Murphy and Benjamin S. Creedy were filed on October 17, 2022, and of Joseph W. Elliot was filed on October 19, 2022, in the above matter. Mr. Murphy, Mr. Creedy, and Mr. Elliot are authorized to appear in this Court for this matter. As previously stated, out-of-state counsel must be accompanied by North Dakota counsel to oral argument, unless specifically excused by the Court.

Sincerely,

/s/ Heather Keller
Deputy Clerk
North Dakota Supreme Court

attachments

cc: William P. Harrie
Ronald J. Knoll
Vicky Matthys
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. 20220308
Cass Co. Court No. 2021-CV-03028

Midwest Family Mutual Insurance Company,	Plaintiff and Appellee
v.	
Superior Manufacturing, LLC and Superior, Inc.,	Defendants and Appellee
and	
James & David Cooper Farms, Inc., Philip Cooper	
and Michael D. Cooper,	Intervenors, Defendants, and Appellants

[¶1] Heather Keller, states that she is of legal age and that on October 20, 2022, she served the Notice of Appeal in the above matter electronically as follows:

Zachary E. Pelham at zep@pearce-durick.com
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I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.
Signed on October 20, 2022, at Bismarck, ND, USA.

/s/ Heather Keller
Deputy Clerk