

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

Friends of the Rail Bridge (FORB),)	
and Downtown Business Association)	
of Bismarck, and CD Holdings, LLC,)	Supreme Court No. 20230255
)	
Petitioners,)	
v.)	
)	
North Dakota Department of Water)	
Resources; BNSF Railway Company;)	
North Dakota State Historical Board;)	
the Director of the State Historical)	
Society of North Dakota, William)	
Peterson; and the State of North)	
Dakota ex rel. Drew Wrigley, North)	
Dakota Attorney General,)	
)	
Respondents.)	

**MOTION FOR ADMISSION
PRO HAC VICE OF EVAN NELSON**

[¶1] The undersigned, licensed attorneys in good standing in the State of North Dakota, hereby move for the admission of Evan Nelson pro hac vice for purposes of this case. Mr. Nelson is an attorney in good standing in the firm of Maslon LLP, 3300 Wells Fargo Center, 90 South Seventh Street, Minneapolis, Minnesota 55402.

[¶2] This motion is made under Rule 3(A), North Dakota Admission to Practice Rules. The undersigned are attorneys admitted and licensed to practice law in North Dakota, and will appear at all proceedings with Mr. Nelson unless his absence is excused.

[¶] DATED this 11th day of August, 2023.

/s/ Wade C. Mann

Wade C. Mann (#05871)
Zachary R. Eiken (#07832)
CROWLEY FLECK PLLP
100 West Broadway Ave., Suite 250
P.O. Box 2798
Bismarck, North Dakota 58502-2798
Telephone: (701) 223-6585
Email: wmann@crowleyfleck.com
zeiken@crowleyfleck.com

Jason A. Lien (#09004)
MASLON LLP
3300 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
Telephone: 612-672-8200
Email: jason.lien@maslon.com

Attorneys for Respondent BNSF Railway
Company

CERTIFICATE OF SERVICE

[¶] I hereby certify that true and correct copies of the Motion for Admission Pro Hac Vice of Evan Nelson and Declaration of Evan Nelson Regarding Pro Hac Vice Admission were on the 11th day of August, 2023, served electronically on the following:

William J. Delmore
Delmore Law Firm
bill@delmorelawfirm.com

Lyle G. Witham
Attorney at Law
Lyle.g.witham@gmail.com

Jennifer Verleger
Office of the Attorney General
jverleger@nd.gov

Andrea Travnicek, Director
North Dakota Department of Water Resources
swc@nd.gov

Joshua Andrew Amundson
Office of the Attorney General
jaamundson@nd.gov

William Peterson, Director
State Historical Society of North Dakota
billpeterson@nd.gov

Drew Howard Wrigley
North Dakota Attorney General
ndag@nd.gov

Matt Dunlevy, Chair
State Historical Board
matt.dunlevy@gmail.com

By: /s/ Wade C. Mann
Wade C. Mann (#05871)

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

Friends of the Rail Bridge (FORB),)
and Downtown Business Association)
of Bismarck, and CD Holdings, LLC,) Supreme Court No. 20230255
)
Petitioners,)
v.)
)
North Dakota Department of Water)
Resources; BNSF Railway Company;)
North Dakota State Historical Board;)
the Director of the State Historical)
Society of North Dakota, William)
Peterson; and the State of North)
Dakota ex rel. Drew Wrigley, North)
Dakota Attorney General,)
)
Respondents.)
)

**DECLARATION OF EVAN NELSON REGARDING PRO HAC VICE
ADMISSION**

I, Evan Nelson, state as follows:

1. My name is Evan Nelson, and I have been retained by Respondent BNSF Railway Company in the above-captioned action.
2. I desire to appear in the above-captioned proceeding before the North Dakota Supreme Court, and make this declaration in accordance with Rule 3(A)(5)(b) of the North Dakota Admission to Practice Rules.
3. My address, telephone number, and email address are:

Maslon LLP
3300 Wells Fargo Center
90 South 7th Street
Minneapolis, MN 55402
(612) 672-8396
Evan.Nelson@maslon.com

4. I was admitted and licensed to practice law in the State of Minnesota in 2016.

5. The attorneys in this case are Wade C. Mann and Zachary R. Eiken, Crowley Fleck PLLP, 100 West Broadway, Suite 250, Bismarck, North Dakota 58501, and Jason A. Lien, Maslon LLP, 3300 Wells Fargo Center, 90 South Seventh Street, Minneapolis, Minnesota 55402.

6. The required filing fee for admission pro hac vice has been remitted to the North Dakota State Board of Law Examiners.

7. I am not presently subject to any disciplinary proceeding in any jurisdiction.

8. I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed.

9. I am not now and have never been suspended or disbarred from a court in any jurisdiction.

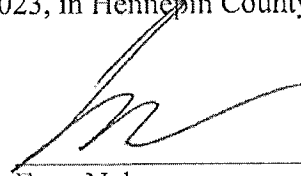
10. I have appeared in the following North Dakota state court proceeding and the associated appeal in the previous three years:

a. *Friends of the Rail Bridge et al. v. N.D. Dept' of Water Res. et al.*, Civil No. 08-2023-CV-01083 and *Friends of the Rail Bridge et al. v. N.D. Dept' of Water Res. et al.*, Case No. 20230240 (N.D. 2023).

11. I have not previously registered in North Dakota under Rule 3 of the North Dakota Admission to Practice Rules.

I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.

Signed on the 11th day of August, 2023, in Hennepin County, Minnesota.

A handwritten signature in black ink, appearing to be 'Evan Nelson', written over a horizontal line.

Evan Nelson