

WEDNESDAY, FEBRUARY 20, 2019

9:00 A.M.

NO. 1

#28580

EXCEL UNDERGROUND, INC.,  
Plaintiff and Appellee,

vs.

BRANT LAKE SANITARY DISTRICT,  
Defendant and Appellant.

-----  
BRANT LAKE SANITARY DISTRICT,  
Plaintiff and Appellant,

vs.

EXCEL UNDERGROUND, INC. &  
GRANITE RE, INC.,  
Defendants and Appellees,

and

GRANITE RE, INC.,  
Third-Party Plaintiff  
And Appellee,

vs.

REED I. OLSON & MELISSA D.  
FISCHER-OLSON,  
Third-Party Defendants  
And Appellees.

Mr. Vince M. Roche  
Ms. Elizabeth S. Hertz  
Davenport, Evans, Hurwitz & Smith  
PO Box 1030  
Sioux Falls SD 57101-1030  
PH: 336-2880  
[vroche@dehs.com](mailto:vroche@dehs.com)  
[ehertz@dehs.com](mailto:ehertz@dehs.com)

**(FOR APPELLANTS)**

Ms. Heather M. Lammers Bogard  
Costello, Porter, Hill,  
Heisterkamp, Bushnell & Carpenter  
PO Box 290  
Rapid City SD 57709-0290  
PH: 343-2410  
[HLammers@costelloporter.com](mailto:HLammers@costelloporter.com)

**(FOR APPELLANTS)**

Mr. Jerome B. Lammers  
Lammers Kleibacker, LLP  
PO Box 45  
Madison SD 57042-0045  
PH: 256-6677  
[Jb87d@lammerskleibacker.com](mailto:Jb87d@lammerskleibacker.com)

**(FOR APPELLANTS)**

Mr. Daniel K. Brendtro  
Brendtro Law Firm  
PO Box 2583  
Sioux Falls SD 57101  
PH: 951-9011  
[dan@brendtrolawfirm.com](mailto:dan@brendtrolawfirm.com)

**(FOR APPELLEE EXCEL  
UNDERGROUND, INC.)**

Mr. William P. Fuller  
Fuller & Williamson  
7521 S Louise Avenue  
Sioux Falls SD 57108  
PH: 333-0003  
[bfuller@fullerandwilliamson.com](mailto:bfuller@fullerandwilliamson.com)

**(FOR APPELLEE GRANITE  
RE, INC.)**

Mr. David H. Gregerson  
Mr. Joseph A. Nilan  
Gregerson, Rosow, Johnson & Nilan  
100 Washington Ave Suite 1550  
Minneapolis MN 55401  
PH: 612-436-7474  
[dgregerson@grjn.com](mailto:dgregerson@grjn.com)  
[jnilan@grjn.com](mailto:jnilan@grjn.com)

**(FOR APPELLEE GRANITE  
RE, INC.)**

Mr. Gregory H. Wheeler  
Boyce Law Firm  
PO Box 5015  
Sioux Falls SD 57117-5015  
PH: 336-2424  
[gwheeler@boycelaw.com](mailto:gwheeler@boycelaw.com)  
[mwohara@boycelaw.com](mailto:mwohara@boycelaw.com)

**(FOR APPELLEE SCHMITZ  
KALDA & ASSOCIATES)**

Mr. Todd Meierhenry  
Meierhenry & Sargent  
315 S Phillips Ave  
Sioux Falls SD 57104-6318  
PH: 336-3075  
[todd@meierhenrylaw.com](mailto:todd@meierhenrylaw.com)

**(FOR AMICUS CURIAE DAKOTA  
HOMESTEAD TITLE INSURANCE  
COMPANY AND SOUTH DAKOTA  
CONSERVANCY DISTRICT)**

The Honorable Patrick T. Pardy  
Third Judicial Circuit  
Lake County

**(CIV 14-50 & CIV 14-18)**