## TUESDAY, JUNE 1, 2004 1:30 P.M.

<u>NO.</u> 1

## #23028

JERKE CONSTRUCTION COMPANY, INC., Plaintiff and Appellee,

vs.

HOME FEDERAL SAVINGS BANK,
Defendant and Appellant,

and

MATT PECK, TANK TESTING, INC., Defendant.

Mr. Rick Entwistle Woods, Fuller, Shultz & Smith Attorneys at Law PO Box 5027 Sioux Falls SD 57117-5027 Ph 336-3890

Mr. Michael B. Thompson Attorney at Law 707 E 41<sup>st</sup> St Ste 105 Sioux Falls SD 57105 Ph: 330-0530 (FOR APPELLANT)

(FOR APPELLEE JERKE CONST.)

NON-ORAL