

TUESDAY, MARCH 21, 2006
9:00 A.M.

NO. 1

#23601

DAKOTA, MINNESOTA & EASTERN
RAILROAD CORPORATION,
Plaintiff and Appellee,

vs.

ACUITY, a Mutual Insurance Co., f/k/a
HERITAGE MUTUAL INSURANCE
COMPANY, d/b/a HERITAGE
INSURANCE,
Defendant and Appellant.

Mr. Gary P. Thimsen
Ms. Jennifer L. Wollman
Woods, Fuller, Shultz & Smith
Attorneys at Law
PO Box 5027
Sioux Falls SD 57117-5027
Ph 336-3890

(FOR APPELLANT)

Mr. Brian Donahoe
Ms. Meredith Moore
Cutler & Donahoe LLP
Attorneys at Law
100 N Phillips Ave Ste 901
Sioux Falls SD 57104
Ph 335-4950

(FOR APPELLEE)

20-20-10