TUESDAY, OCTOBER 5, 2010 9:00 A.M.

NO. 1

#25553

HUTTERVILLE HUTTERIAN
BRETHREN, INC., a South Dakota
non-profit Corporation,
Plaintiffs,

and

JOHNNY WIPF, ALVIN HOFER, and JAKE HOFER, SR., Individually, as voting members and as directors and/or officers of Hutterville Hutterian Brethren, Inc., Plaintiffs and Appellants,

vs.

JOHN G. WALDNER, GEORGE
WALDNER, SR., TOM WALDNER
and KENNITH WALDNER, as voting
Members of Hutterville Hutterian
Brethren, Inc.,
Defendants and Appellees.

Mr. James E. McMahon Ms. Rochelle R. Cundy Murphy, Goldammer & Prendergast, LLP 101 North Phillips Ave Suite 402 Sioux Falls SD 57104 Ph: 331-2975

Mr. Don E. Petersen Ms. Jody Odegaard Smith Morgan Theeler Law Firm PO Box 1025 Mitchell SD 57301 Ph: 996-5588

The Honorable Jack R. Von Wald Fifth Judicial Circuit Brown County

(FOR APPELLANTS)

(FOR APPELLEES)

(CIV 09-705)

(20-20-10)