WEDNESDAY, MAY 29, 2002 11:00 A.M.

NO. 3

#22160

ACTION MECHANICAL, INC., a South Dakota corporation, Plaintiff and Appellees,

vs.

THE DEADWOOD HISTORIC

PRESERVATION COMMISSION;

MITCH PECK, d/b/a TEMPERATURE

CONTROL; RONALD DIGGES; DENNIS

DIGGES; DONNA DIGGES; PEPSI COLA

BOTTLING COMPANY; RC WESTERN

MEATS; AND THE STATE OF SOUTH

DAKOTA DEPARTMENT OF REVENUE,

Defendants,

and

and

DAMON REEL, DONNA WYNIA, DWIGHT THOMAS, and RANDY BECKMAN, d/b/a FOUR SQUARE PARTNERSHIP, a South Dakota General Partnership,

> Defendants, Third Party Plaintiffs and Appellants,

vs.

IRON HORSE INN, INC.,
Third Party Defendant.

Ms. Michelle K. Percy Mr. Brad P. Gordon Fuller, Tellinghuisen, Gordon and Percy , P.C 203 W. Main St (FOR APPELLANTS)

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(FOR APPELLEE ACTION MECHANICAL)

(FOR APPELLEE H & N ELECTRIC)