

Tuesday, November 4, 2008
9:00 A.M.

NO. 1

#24808

JAMES A. SWABY; FRED K. ENING
JR; WILLIAM W. MILLER and
LAUREL D. MILLER Co-Trustees
under the William W. Miller
Revocable Trust 50% interest
and Laurel D. Miller and William
W. Miller Co-Trustees of the
Laurel D. Miller Revocable Trust
50% interest; BARBARA J.
SPECTOR as Trustee of the
Spector Living Trust and MURIEL
A. HANNA as Trustee under
Declaration of Trust; ELWYN J. COLE;
CROOK MT. ANGUS RANCH, INC.; ALBERT R.
and LORI A. TETREAULT; BRIAN and
HEIDE JANZ; JOHN and PATRICIA
DVORAK; BOBBY A. and CINDY L.
LADNER; RANDY G. and LORI A. FRYER;
WILLIAM R. and TERESA FOX; DAVID J.
FANDRICK; DESPERADO INVESTMENTS,
LLC; TRACY L. and KELLY J. MCDANIELS;
and GERALD and EDITH MILES,
Plaintiffs and Appellees,

vs.

NORTHERN HILLS REGIONAL RAILROAD
AUTHORITY; SOUTH DAKOTA DEPARTMENT
OF TRANSPORTATION; SOUTH DAKOTA
DEPARTMENT OF GAME, FISH and PARKS;
Defendants and Appellants,

and

LAWRENCE COUNTY, a political subdivision of the
State of South Dakota; DAKOTA, MINNESOTA
AND EASTERN RAILROAD COMPANY
("DM&E"); and the HEIRS, DEVISEES,
LEGATEES, EXECUTORS, ADMINISTRATORS,
OR CREDITORS OF THE FOLLOWING

DECEASED INDIVIDUALS: STEPHEN W.
MORGAN and FRANE E. MORGAN, husband and
wife; CHRISTIAN G. GRALAPP and
CHRISTIANA GRALAPP, husband and wife;
LYMAN D. PETTIT and HANNA M. PETTIT,
husband and wife; THOMAS S. NEWMAN;
ANDREW NORINE; GOTTFRIED BURGER;
RICHARD GRENFELL and GRACE GRENFELL,
and JOHN LEWIS and MARGARET LEWIS,
husband and wife; and ALL PERSONS
UNKNOWN WHO HAVE OR CLAIM TO
HAVE ANY INTEREST OR ESTATE IN OR
LIEN OR ENCUMBRANCE UPON THE
PREMISES DESCRIBED IN THE
AMENDED COMPLAINT,
Defendants.

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(FOR APPELLANTS)

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(FOR APPELLEES)

The Honorable Randall L. Macy
Fourth Judicial Circuit
Lawrence County

(CIV 05-217)