

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

AUG 11 2025

Shirley A. Johnson-Lund
Clerk

* * * *

CHS CAPITAL, LLC,
Plaintiff and Appellee,

vs.

SKYLINE CATTLE CO., and
ESTATE OF PAUL O'FARRELL,
Defendants and Appellants,

and

VOR, INC.
Defendant and Appellee.

) ORDER DIRECTING ISSUANCE OF
) JUDGMENT OF AFFIRMANCE
)

#30862

The Court considered all of the briefs filed in the above-entitled matter, together with the appeal record, and concluded pursuant to SDCL 15-26A-87.1(A), that it is manifest on the face of the briefs and the record that the appeal is without merit on the ground that the issues on appeal are clearly controlled by settled South Dakota law or federal law binding upon the states (SDCL 15-26A-87.1(A)(1)), now, therefore, it is

ORDERED that a judgment affirming the Order and Judgment of the circuit court be entered forthwith.

DATED at Pierre, South Dakota, this 11th day of August, 2025.

BY THE COURT:

ATTEST

Steven R. Jensen
Steven R. Jensen, Chief Justice

[Signature]
Clerk of the Supreme Court
(SEAL)

(Justices Janine M. Kern and Patricia J. DeVaney dissent, concluding that the circuit court abused its discretion when denying Appellants' motion to stay the consideration of Appellee VOR, Inc.'s motion for summary judgment on its crossclaim until the related claims in file 25CIV23-15 are finally disposed.)

PARTICIPATING: Chief Justice Steven R. Jensen and Justices Janine M. Kern, Mark E. Salter, Patricia J. DeVaney and Scott P. Myren.