

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF MEADE)

IN CIRCUIT COURT

FOURTH JUDICIAL CIRCUIT

ANDREW MORSE and JOHN and)
EMILY CLARKE, f or themselves)
and on behalf of all similarly)
situated individuals,)
)
Plaintiffs,)
v.)
)
STATE OF SOUTH DAKOTA)
And/or the **SOUTH DAKOTA**)
COMMISSION OF SCHOOL AND)
PUBLIC LANDS, as successor of)
the **SOUTH DAKOTA CEMENT**)
PLANT COMMISSION and the)
SOUTH DAKOTA CEMENT)
PLANT TRUST,)
)
Defendants.)

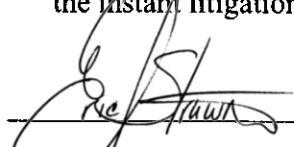
46CIV 20-000295
ORDER ON
UNOPPOSED MOTION TO OPEN
CLASS AND PERMIT RECISSION
OF OPT-OUTS WITH MEMORANDUM
IN SUPPORT

On this ____ day of April 2024, the Court considers the Unopposed Motion to Open Class and Permit Recission of Opt-Outs (“Motion”). Having considered the information in the Memorandum in Support of the Motion, and noting that the State has no objection to the Motion the Court GRANTS the Motion and ORDERS the following:

1. Counsel for the Class Representatives shall notify the Opt-Out individuals listed on Exhibit “A” of the Motion and Memorandum, in writing, of their right to rescind the Opt-Out and of the fees and costs associated with the class action representation if they join the Class.
2. Individuals so notified will have until May 1, 2024, at 5 pm Mountain Time to respond to Class Representatives’ Counsel in writing if they desire to rescind their Opt-Out.

3. Counsel for the Class Representatives shall notify this Court and the State on or before April 25, 2024 of those individuals who have decided to join the class and participate in the instant litigation.

4/10/2024 8:55:56 AM



The Honorable Eric Strawn, Judge, 4th Judicial Circuit
Meade County
State of South Dakota

Attest:
Karlson, Stephany
Clerk/Deputy

