

Docket Nos. 23-3697 and 24-1171

In the

**United States Court of Appeals**

For the

**Eighth Circuit**

---

Turtle Mountain Band of Chippewa Indians, et al.,

Plaintiffs - Appellees

v.

Michael Howe, in his Official Capacity as Secretary of State of North Dakota

Defendant - Appellee

North Dakota Legislative Assembly, et al.,

Movants.

---

On Consolidated Appeal of Order Denying Assembly's Motion to Intervene (Doc. 153) and Order Denying Assembly's Motion for Extension of Time and Adopting Plaintiffs' Proposed Plan 2 as Remedial Map (Doc. 164)  
To The United States District Court for the District of North Dakota  
In Case No. 3:22-cv-00022

---

**Movants' Notice of Appendix Preparation**

Scott K. Porsborg (ND State Bar ID No. 04904)

[sporsborg@smithporsborg.com](mailto:sporsborg@smithporsborg.com)

Brian D. Schmidt (ND State Bar ID No. 07498)

[bschmidt@smithporsborg.com](mailto:bschmidt@smithporsborg.com)

122 East Broadway Avenue

P.O. Box 460

Bismarck, ND 58501

(701) 258-0630

Attorneys for Movants.

**Notice of Method of Preparing Appendix**

Pursuant to Local Rule 30A(b)(3), the Movants will prepare and file a separate appendix.

Dated this 13<sup>th</sup> day of February, 2024.

SMITH PORSBORG SCHWEIGERT  
ARMSTRONG MOLDENHAUER & SMITH

By /s/ Scott K. Porsborg  
Scott K. Porsborg (ND State Bar ID No. 04904)  
[sporsborg@smithporsborg.com](mailto:sporsborg@smithporsborg.com)  
Brian D. Schmidt (ND State Bar ID No. 07498)  
[bschmidt@smithporsborg.com](mailto:bschmidt@smithporsborg.com)  
122 East Broadway Avenue  
P.O. Box 460  
Bismarck, ND 58501  
(701) 258-0630

Attorneys for Movants

**CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2024, I electronically submitted the foregoing **Movants' Notice of Appendix Preparation** to the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit for review by using the CM/ECF system and that ECF will send a Notice of Electronic Filing (NEF) to all participants who are registered CM/ECF users.

By /s/ Scott K. Porsborg  
Scott K. Porsborg