

# EXHIBIT 3

## Nov. 9 Email from S. Porsborg

## Molly Danahy

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**From:** Scott Porsborg <SPorsborg@smithporsborg.com>  
**Sent:** Wednesday, November 9, 2022 4:39 PM  
**To:** Molly Danahy; Mark Gaber; Anna Heinen; carter@narf.org; mcampbell@narf.org; tpurdon@robinskapal.com; kelty@narf.org; bryan@bryansellslaw.com  
**Cc:** Austin Lafferty; April Heinz; masagsve@nd.gov; David Phillips  
**Subject:** RE: Turtle Mountain Band of Chippewa Indians v. Alvin Jaeger - Case No 3:22-cv-22

Molly, I've been informed that LC believes about two weeks should be sufficient to gather the materials and prepare a log.

Scott K. Porsborg  
Certified Civil Trial Specialist – National Board of Trial Advocacy  
Smith Porsborg Schweigert Armstrong Moldenhauer & Smith  
P.O. Box 460  
122 East Broadway  
Bismarck ND 58502-0460  
Phone: 701-258-0630  
[sporsborg@smithporsborg.com](mailto:sporsborg@smithporsborg.com)

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**From:** Molly Danahy <mdanahy@campaignlegalcenter.org>  
**Sent:** Thursday, November 3, 2022 2:47 PM  
**To:** Scott Porsborg <SPorsborg@smithporsborg.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; Anna Heinen <AHeinen@smithporsborg.com>; carter@narf.org; mcampbell@narf.org; tpurdon@robinskapal.com; kelty@narf.org; bryan@bryansellslaw.com  
**Cc:** Austin Lafferty <ALafferty@smithporsborg.com>; April Heinz <AHeinz@smithporsborg.com>; masagsve@nd.gov; Daniel Phillips <dphillips@solberglaw.com>  
**Subject:** RE: Turtle Mountain Band of Chippewa Indians v. Alvin Jaeger - Case No 3:22-cv-22

Hi all –

We're available for a meet and confer on Wednesday, November 9 at 11 CT. If that works for everyone. I'll circulate a calendar invite.

Best,

Molly

### Molly E. Danahy

Senior Legal Counsel, Litigation

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**From:** Scott Porsborg <[SPorsborg@smithporsborg.com](mailto:SPorsborg@smithporsborg.com)>

**Sent:** Thursday, November 3, 2022 9:20 AM

**To:** Mark Gaber <[MGaber@campaignlegalcenter.org](mailto:MGaber@campaignlegalcenter.org)>; Anna Heinen <[AHeinen@smithporsborg.com](mailto:AHeinen@smithporsborg.com)>; [carter@narf.org](mailto:carter@narf.org); [mcampbell@narf.org](mailto:mcampbell@narf.org); Molly Danahy <[mdanahy@campaignlegalcenter.org](mailto:mdanahy@campaignlegalcenter.org)>; [tpurdon@robinskapal.com](mailto:tpurdon@robinskapal.com); [kelty@narf.org](mailto:kelty@narf.org); [bryan@bryansellslaw.com](mailto:bryan@bryansellslaw.com)

**Cc:** Austin Lafferty <[ALafferty@smithporsborg.com](mailto:ALafferty@smithporsborg.com)>; April Heinz <[AHeinz@smithporsborg.com](mailto:AHeinz@smithporsborg.com)>; [masagsve@nd.gov](mailto:masagsve@nd.gov); Daniel Phillips <[dphillips@solberglaw.com](mailto:dphillips@solberglaw.com)>

**Subject:** RE: Turtle Mountain Band of Chippewa Indians v. Alvin Jaeger - Case No 3:22-cv-22

Mark, I'm available all of next week starting Tuesday, with the exception of Wednesday afternoon and Friday. Let me know what works for you.

Scott K. Porsborg

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**From:** Mark Gaber <[MGaber@campaignlegalcenter.org](mailto:MGaber@campaignlegalcenter.org)>

**Sent:** Wednesday, November 2, 2022 8:46 PM

**To:** Anna Heinen <[AHeinen@smithporsborg.com](mailto:AHeinen@smithporsborg.com)>; [carter@narf.org](mailto:carter@narf.org); [mcampbell@narf.org](mailto:mcampbell@narf.org); Molly Danahy <[mdanahy@campaignlegalcenter.org](mailto:mdanahy@campaignlegalcenter.org)>; [tpurdon@robinskapal.com](mailto:tpurdon@robinskapal.com); [kelty@narf.org](mailto:kelty@narf.org); [bryan@bryansellslaw.com](mailto:bryan@bryansellslaw.com)

**Cc:** Scott Porsborg <[SPorsborg@smithporsborg.com](mailto:SPorsborg@smithporsborg.com)>; Austin Lafferty <[ALafferty@smithporsborg.com](mailto:ALafferty@smithporsborg.com)>; April Heinz <[AHeinz@smithporsborg.com](mailto:AHeinz@smithporsborg.com)>; [masagsve@nd.gov](mailto:masagsve@nd.gov); Daniel Phillips <[dphillips@solberglaw.com](mailto:dphillips@solberglaw.com)>

**Subject:** RE: Turtle Mountain Band of Chippewa Indians v. Alvin Jaeger - Case No 3:22-cv-22

Counsel—

Can we schedule a time for a phone call or zoom to meet and confer regarding the objections to the subpoenas referenced below?

Likewise, I have attached a deposition subpoena for Representative Devlin. The date and location are placeholders – we are hoping to conduct the deposition virtually by zoom if the witnesses and counsel are agreeable, and of course we will work with you on scheduling available dates this month. Please let me know if you will accept service of these subpoena, and the Representative's availability.

Sincerely,  
Mark Gaber

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**From:** Anna Heinen <[AHeinen@smithporsborg.com](mailto:AHeinen@smithporsborg.com)>

**Sent:** Friday, October 14, 2022 2:38 PM

**To:** [carter@narf.org](mailto:carter@narf.org); [mcampbell@narf.org](mailto:mcampbell@narf.org); Mark Gaber <[MGaber@campaignlegalcenter.org](mailto:MGaber@campaignlegalcenter.org)>; Molly Danahy <[mdanahy@campaignlegalcenter.org](mailto:mdanahy@campaignlegalcenter.org)>; [tpurdon@robinskapal.com](mailto:tpurdon@robinskapal.com); [kelty@narf.org](mailto:kelty@narf.org); [bryan@bryansellslaw.com](mailto:bryan@bryansellslaw.com)

**Cc:** Scott Porsborg <[SPorsborg@smithporsborg.com](mailto:SPorsborg@smithporsborg.com)>; Austin Lafferty <[ALafferty@smithporsborg.com](mailto:ALafferty@smithporsborg.com)>; April Heinz <[AHeinz@smithporsborg.com](mailto:AHeinz@smithporsborg.com)>; [masagsve@nd.gov](mailto:masagsve@nd.gov); Daniel Phillips <[dphillips@solberglaw.com](mailto:dphillips@solberglaw.com)>

**Subject:** Turtle Mountain Band of Chippewa Indians v. Alvin Jaeger - Case No 3:22-cv-22

All:

Please find the attached Objection with regard to the above-captioned matter.

Feel free to contact me if you have any questions.

Thank you,

Anna

*Anna M. Heinen*

**Paralegal to Scott Porsborg and Mitch Armstrong**



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