

STATE OF MINNESOTA

IN SUPREME COURT

A08-1132

State of Minnesota, by its Pollution Control
Agency and its Attorney General Lori Swanson,

Respondent,

vs.

Evanston Insurance Company, et al.,

Defendants,

Northern National Insurance Company
of Milwaukee, Wisconsin,

Appellant.

O R D E R

It now appearing that the petition for further review of the decision of the Court of Appeals in this matter was improvidently granted by this court,

IT IS HEREBY ORDERED that the October 29, 2008, order of this court granting review of the August 19, 2008, order of the Court of Appeals be, and the same is, vacated and the appeal is dismissed.

Dated: March 12, 2009

BY THE COURT:

/s/

Eric J. Magnuson
Chief Justice