



# Memorandum of Adjustment

Noodles by Leonardo, Inc. RR 1 1301 5th Avenue South Cando, ND County:
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An examination of this warehouse and/or the commodities stored there disclosed the following conditions which must be corrected as soon as possible. These conditions may also be in violation of state laws or rules. The issuance of this form is a report of the conditions found at this examination and is not an election by the North Dakota Public Service Commission to be taken.

Examiner comments are shown in *italic* below each item.

**No Book Adjustments Required**

Item no: 1050

refer to: NDCC 60-02-11 & ND Admin Code 69-07-03-01

A uniform and consecutively numbered scale ticket must be issued for each load of grain received and must be converted into cash, noncredit-sale contracts, credit-sale contracts, or warehouse receipts within 45 days after the grain is delivered to the warehouse. The original scale ticket must be issued in consecutive order and must contain the name of the licensee, receiving location, name of the depositor, type of grain, per centum of dockage, test weight, gross weight, tare weight, and net weight. The scale ticket must be delivered to the person from whom the grain is received and a copy must be retained and remain as a permanent record.

*Failure to convert scale tickets within 45 days of delivery per the law. A review of the grain payables report dated June 27, 2008, indicated that Cando Farmers Grain & Oil is owed \$174,581 for 5 scale tickets delivered in February and March 2008 and Nelson Grain is owed \$52,405 for 3 scale tickets delivered one in March, April, and early May. No evidence was provided indicating these payables have been converted into credit-sale contracts. The indicated circumstances will be presented to the Licensing Office staff for review and discussion.*

Thank you,

2 Timothy Erdman  
Name of PSC Examiner

07/14/2008  
Date

I acknowledge receipt of this form. I understand that the above conditions must be corrected as soon as possible. The corrective action must be mailed to the licensing division offices within 30 days of the date received. If all corrections are not completed in 30 days, I will report my progress and continue to submit reports at 15-day intervals until all corrections are completed.

\_\_\_\_\_  
Licensee's Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
By (please print)

\_\_\_\_\_  
Date

Please submit report to: Licensing Division  
Public Service Commission  
600 E. Boulevard Ave. Dept. 408  
Bismarck, ND 58505-0480

Phone: 701-328-4097  
Fax: 701-328-2410  
Email: srichter@nd.gov  
www.psc.state.nd.us