

# Gibbens Law Office

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*Cando, ND 58324-0708*

**RECEIVED**

**MAY 13 2009**

**PUBLIC SERVICE COMMISSION**

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*Fax No. (701) 968-4239*

*bruce@gibbenslaw.com*

*lisa@gibbenslaw.com*

May 11, 2009

Illona A. Jeffcoat-Sacco  
Special Assistance Attorneys General  
Public Service Commission  
State Capitol - 12<sup>th</sup> Floor  
600 E Boulevard Ave - Dept 408  
Bismarck, ND 58505-0480

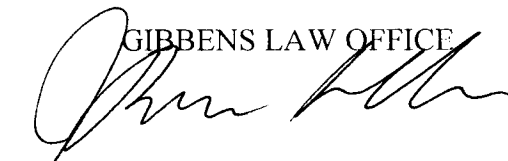
Re: Public Service Commission v. Northwood Mills LLLP  
PSC Case No. GE-09-31  
Firm File #850-12  
Civil Case No. 48-09-C-00013

Dear Ms. Jeffcoat-Sacco:

Enclosed please find a photocopy of the Complaint and Judgment entered against Northwood Mills LLLP, by our client, North Central Grain Cooperative. If there are further documents you may need please let me know and I will provide them to your office.

If you have any questions, please feel free to contact me.

Sincerely,

GIBBENS LAW OFFICE  
  
J. Bruce Gibbens  
Attorney at Law

JBG/dlr

Enc.

Cc: North Central Grain Cooperative

42 GE-09-31 Filed 05/13/2009 Pages: 4  
Grain Claim - North Central Grain Coop  
Gibbens Law Office  
on behalf of North Central Grain Coop.

1 STATE OF NORTH DAKOTA )  
2 COUNTY OF TOWNER )  
3 North Central Grain Cooperative, )  
4 )  
5 Plaintiff, )  
6 )  
7 vs. )  
8 )  
9 Northwood Mills, L.L.L.P., )  
10 )  
11 Defendant. )

IN DISTRICT COURT  
NORTHEAST JUDICIAL DISTRICT

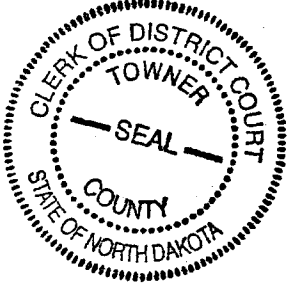
**JUDGMENT**

Civil No. 48-09-C-00013

12 The above entitled action came before this Court, the Honorable Lee A. Christofferson presiding  
13 on the 2nd day of April, 2009, on motion for default judgment. Judgment was ordered for the Plaintiff  
14 in the principal amount of \$251,473.67 with accrued interest through March 2, 2009 in the amount of  
15 \$1,920.00, with interest accruing thereafter at the rate of \$32.00 per day, and for costs and disbursements  
16 to be determined and allowed by the Clerk of this Court in the manner provided by law.

17 THEREFORE, it is adjudged that the Plaintiff has judgment against the Defendant in the  
18 principal amount of \$251,473.67 with accrued interest through April 6, 2009 in the amount of \$2,048.00,  
19 with interest accruing thereafter at the rate of \$32.00 per day, plus costs and disbursements in the amount  
20 of \$99.79 for a total owing of \$253,621.46 as of April 6, 2009.

21 Dated this 7th day of April, 2009.



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23 *Jolene D. Hoffert*  
24 Jolene D. Hoffert

Towner County Clerk of District Court

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27 # 48-09-C-013  
FILED IN THE OFFICE OF THE CLERK  
OF THE DISTRICT COURT OF  
TOWNER COUNTY, NORTH DAKOTA  
APR 7 2009  
28 *Jolene D. Hoffert* CLERK

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STATE OF NORTH DAKOTA  
COUNTY OF BENSON  
North Central Grain Cooperative, )  
)  
Plaintiff, )  
)  
vs. )  
)  
Northwood Mills L.L.L.P., )  
)  
Defendant. )

IN DISTRICT COURT  
NORTHEAST JUDICIAL DISTRICT

**COMPLAINT**

Civil No. \_\_\_\_\_

Comes now the Plaintiff, North Central Grain Cooperative, and for its cause of action against the Defendant alleges as follows:

I.

This action is brought by the Plaintiff, North Central Grain Cooperative, for canola sold and delivered by the Plaintiff to the Defendant.

II.

Plaintiff has delivered canola to the Defendant in 2008 in a total amount of \$251,473.67, which the full amount is due and owing to the Plaintiff.

III.

After repeated demands made by the Plaintiff, the Defendant has not paid or contacted the Plaintiff to make arrangements for payment of the balance owing.

WHEREFORE, Plaintiff prays for judgment against the Defendant consistent with the terms of the Report which is the subject of this action, as follows:

1. For a monetary judgment against the Defendant in the amount of \$251,473.67 for the contracted canola which was delivered to the Defendant.
2. For a monetary judgment of Plaintiff's costs and disbursements

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incurred herein.

3. For such other and further relief as the Court deems just and proper under the circumstances.

Dated this 26th day of January, 2009.



BY: J. Bruce Gibbens (ID #04067)

OF: GIBBENS LAW OFFICE

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Cando, ND 58324

701-968-3342

ATTORNEYS FOR THE PLAINTIFF