

**Bauske, Shelly A.**

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**From:** Bauske, Shelly A.  
**Sent:** Thursday, December 30, 2010 1:38 PM  
**To:** 'colleen@ndna.com'  
**Subject:** Legal Publication - Organic Grain and Milling, PSC Case No. GE-10-327  
**Attachments:** 029-020.doc

Colleen:

Attached is the Extension of Notice to File Claims in Civil No. 10-10-C-68, Public Service Commission vs. Organic Grain and Milling, Inc. We would like this Notice published **once** in the **January 10, 2011** issue of the Cavalier County Republican as a legal publication. Please confirm the publication date.

Send the bill to the Commission along with the tear sheets.

Thank you and please call if you have questions.

Shelly Bauske  
Public Service Commission  
600 E Boulevard Ave Dept 408  
Bismarck ND 58505-0480  
701-328-4070  
701-328-2410 (fax)  
[sbauske@nd.gov](mailto:sbauske@nd.gov)

**30** **GE-10-327** Filed: 12/30/2010 Pages: 3  
Email to NDNA requesting publication of extension  
of Notice to File Claims

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CAVALIER

NORTHEAST JUDICIAL DISTRICT

Public Service Commission, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 Organic Grain and Milling, Inc., )  
 )  
 Respondent )  
 \_\_\_\_\_ )  
 PSC Case No. GE-10-327 )

**EXTENSION OF NOTICE TO FILE CLAIMS**

**Civil No. 10-10-C-68**

**PLEASE TAKE NOTICE** that on August 31, 2010, the NORTHEAST JUDICIAL DISTRICT Court appointed the Public Service Commission (Commission) Trustee of Organic Grain and Milling, Inc. under North Dakota Century Code Chapter 60-04 for the benefit of outstanding receipt holders of Organic Grain and Milling, Inc. and ordered that accounts receivable available for grain sold prior to the filing of the claim be included as an asset of the trust fund. The Order was filed August 31, 2010.

On September 17, 2010, the Public Service Commission forwarded a copy of the Notice of Appointment as Trustee and Notice to File Claims to all persons of record. The Notice was forwarded to the North Dakota Newspaper Association with a request to publish the Notice in the Cavalier County Republican as a legal publication once each week for two consecutive. The Notice was published in the Cavalier County Republican on September 27, 2010 and October 4, 2010. Claimants had until November 18, 2010, to file claims. Claims were not received from all persons of record.

North Dakota Century Code § 60-04-04 provides that outstanding receipt holders must submit claims within forty-five days after the last publication of the notice or such longer time as prescribed by the Commission. At its regular meeting on December 30, 2010, the Commission moved to extend the period for filing a claim.

**FURTHER, PLEASE TAKE NOTICE THAT:**

1. Any person having a claim against Organic Grain and Milling, Inc. for the non-payment of grain purchased or stored by Organic Grain and Milling, Inc. at its warehouse facility in Clyde, North Dakota, shall file the claim with the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480.
2. Claims must be filed no later than January 18, 2011.
3. Persons filing claims with the Commission shall include receipts or sufficient documentation to enable the Commission to determine the validity of the claims. This could include unsatisfied scale tickets, warehouse receipts, dishonored checks, and any related contracts.
4. Unless a claim is filed with the Commission within the time specified, the claimant may be barred from participation in the trust fund.

Bismarck, North Dakota, this **30<sup>th</sup> day of December, 2010.**

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