



Public Service Commission
State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
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Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
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January 3, 2011

Ms. Anita Schwartz
Clerk of the District Court
Cavalier County Courthouse
901 3rd Street
Langdon, ND 58249

**RE: Public Service Commission vs. Organic Grain and Milling, Inc.
Civil No. 10-10-C-68**

PSC Case No. GE-10-327

Dear Ms. Schwartz:

Enclosed for filing in the above proceeding please find the originals of:

1. Extension of Notice to File Claims
2. Affidavit of Service by Regular Mail

If you have any questions, please do not hesitate to contact us. Thank you for your assistance in this matter.

Sincerely,

Illona A. Jeffcoat-Sacco (ID#03315)
Special Assistant Attorney General

Enclosures

STATE OF NORTH DAKOTA
COUNTY OF CAVALIER

IN DISTRICT COURT
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.

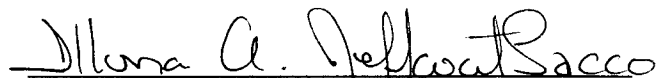
On September 17, 2010, the Public Service Commission forwarded a copy of the Notice of Appointment as Trustee and Notice to File Claims to all persons of record. The Notice was forwarded to the North Dakota Newspaper Association with a request to publish the Notice in the Cavalier County Republican as 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 30th day of December, 2010.



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Attorney for the North Dakota Public
Service Commission

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CAVALIER

NORTHEAST JUDICIAL DISTRICT

Public Service Commission,)
)
 Petitioner,)
)
 vs.)
)
 Organic Grain and Milling, Inc.,)
)
 Respondent)

**AFFIDAVIT OF SERVICE
BY REGULAR MAIL**

Civil No. 10-10-C-68

 PSC Case No. GE-10-327)
)

STATE OF NORTH DAKOTA)
)ss
 COUNTY OF BURLEIGH)

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **3rd day of January, 2011**, she deposited in the United States Mail, Bismarck, North Dakota, **nine envelopes** with regular postage, fully prepaid, securely sealed and each containing a photocopy of:

1. Extension of Notice to File Claims
2. Affidavit of Service by Regular Mail

The envelopes were addressed as follows:

Britt Eustis
 Organic Grain and Milling, Inc.
 PO Box 16550
 St. Paul, MN 55166

Thomas Stadler, Registered Agent for
 Organic Grain and Milling, Inc.
 976 16th Street East
 Langdon, ND 58249-3000

Brian R. Sawyer
 Bond Claim Director
 Great American Insurance Company
 PO Box 2119
 Cincinnati, OH 45201

Jacob C. Hendricks
 Felhaber, Larson, Fenlon & Vogt
 Attorney for Kodiak Farms, Ltd.
 220 South 6th Street
 Minneapolis, MN 55402-4504

Jon C. Hapka
23907 330th Avenue NW
Warren, MN 56762

Jim Malard
Malard Elevator Construction, Inc.
PO Box 437
Hazelton, ND 589544

Daelyn Dirksen
405 156th Street
Conde, SD 57434

Jon Wold
105 Andrew Street North
Labolt, SD 57246

Richard Gross
3321 58th Street SE
Napoleon, ND 58561

George Ripken

Subscribed and sworn to before me
this 3rd day of January 2011.

Shelly A Bauske
Notary Public

SEAL

