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Theodore M. Camrud (1931-2008)
Donald J. Olson, Retired

† *Certified Civil Trial Advocate -
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CERTIFIED PARALEGALS

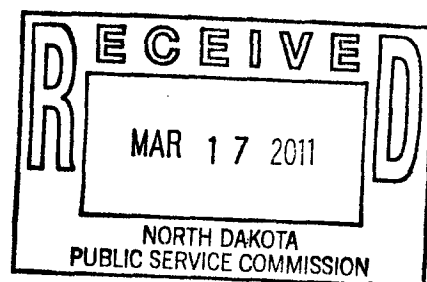
Lisa A. Knudson
Kathy L. Freidig
Stacey A. Larson
Sue L. Schaumburg

OFFICE MANAGER
Dawn Ostenson

March 15, 2011

Illona A. Jeffcoat-Sacco
Special Assistant Attorneys General
State Capitol - 12th Floor
600 E Boulevard Ave - Dept 408
Bismarck, ND 58505-0480

DeWayne Johntson
Attorney At Law
219 S. 4th St.
Grand Forks, ND 58201



Re: Public Service Commission vs. Grabanski Grain, LLC., and Platte River Insurance Company
Our file no. 4531

Dear Ms. Jeffcoat-Sacco and Mr. Johnston:

Enclosed please find a proposed Order that has been sent to the Court for its consideration in the above entitled matter.

I would ask that you consider Plate River Insurance Company's request that at least for the present time the bond funds remain with the Platte River Insurance Company pending evaluation and determination of the validity of the potential claims and if you agree then a hearing will not be necessary on that matter.

Very Truly Yours,

Gordon W. Myerchin

GWM/hns

PC: Platte River Insurance Company (email only)

Enclosure: Proposed Order

30 GE-10-498 Filed: 3/17/2011 Pages: 5
Proposed Order

Platte River Insurance Company
Gordon Myerchin, Attorneys at Law

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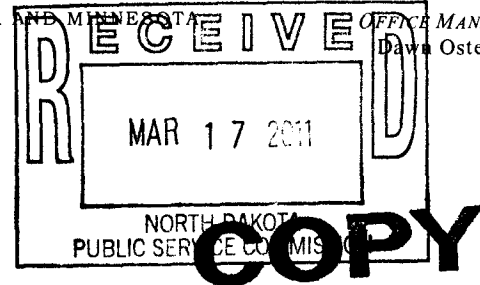
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OFFICE MANAGER
Dawn Ostenson

March 15, 2011



DeWayne Johntson
Attorney At Law
219 S. 4th St.
Grand Forks, ND 58201

Re: Public Service Commission vs. Grabanski Grain, LLC., and Platte River Insurance Company
Our file no. 4531

Dear Mr. Johnson:

According to the docket record on the above entitled matter you have been retained by Grabanski Grain LLC.

Enclosed please find a copy of Platte River Insurance Company's:

1. Notice of Appearance and Affidavit of Mailing
2. Notice of Request by Platte River Insurance Company for Oral Argument as Allowed Under Rule 3.2 of the North Dakota Rules of Court on that Portion of Public Service Commission's Motion Required Deposit of Bond Proceeds by Respondent Platte River Insurance Company
3. Response of Platte River Insurance Company to Public Service Commission's Application for Appointment as Trustee and Motion to Join Surety as Party and for Deposit of Bond Proceeds
4. Brief of Platte River Insurance Company in Response to Public Service Commission Application for Appointment as Trustee and Motion to Join Surety as Party and for Deposit of Bond Proceeds
5. Affidavit of Mailing

I have also enclosed a proposed Order which has been submitted to the court on the portions of the Public Service Commission's motion that Platte River Insurance Company agrees on and also setting a hearing on the matter of the bond proceeds and where they would be held.

Very Truly Yours,

Gordon W. Myerchin

GWM/hns

PC: Illona A. Jeffcoat-Sacco and Mark Gruman (letter only)

Enclosure: See above 1-5 and proposed Order

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF WALSH

NORTHEAST JUDICIAL DISTRICT

Public Service Commission,

Civil No.: 50-2011-CV-00029

Petitioner,

vs.

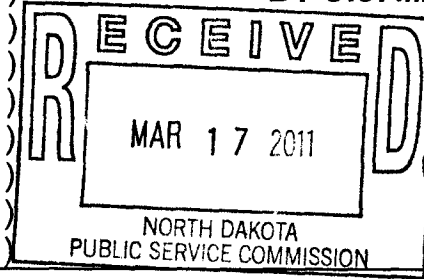
Grabanski Grain LLC

**AFFIDAVIT OF SERVICE
BY U.S. MAIL**

and

Platte River Insurance Company,

Respondents.



COPY

STATE OF NORTH DAKOTA)
) ss
COUNTY OF GRAND FORKS)

Heidi Sundquist, being first duly sworn, deposes and says that she is of legal age, not a party to nor interested in the above entitled action, and that on the 15th day of March, 2011, she served the attached proposed Order upon DeWayne Johntson, Ilona A. Jeffcoat- Sacco, and Mark Gruman placing a true and correct copy in an envelope addressed as follows:

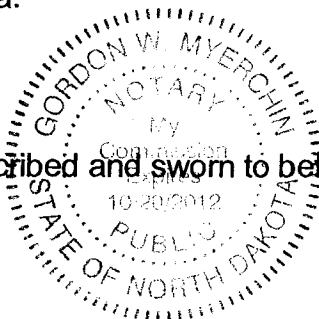
DeWayne Johntson
219 S. 4th St.
Grand Forks, ND 58201

Ilona A. Jeffcoat-Sacco
Mark Gruman
Special Assistant Attorneys General
State Capitol – 12th Floor
600 E Boulevard Ave – Dept 408
Bismarck, ND 58505-0480

and depositing the same, with postage prepaid, in the United States mail at Grand Forks, North Dakota.

Heidi Sundquist

Subscribed and sworn to before me this 15th day of March, 2011.



NOTARY PUBLIC

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF WALSH

NORTHEAST JUDICIAL DISTRICT

Public Service Commission,

Petitioner,

vs.

Grabanski Grain LLC

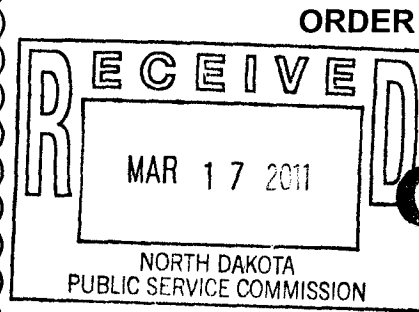
and

Platte River Insurance Company,

Respondents.

PSC Case No. GE-10-498

Civil No. 50-2011-CV-00029



The above entitled matter came before the Court for consideration of the APPLICATION FOR APPOINTMENT AS TRUSTEE AND MOTION TO JOIN SURETY AS PARTY AND FOR DEPOSIT OF BOND PROCEEDS of Respondent Public Service Commission.

Respondent Platte River Insurance Company has filed a response to that APPLICATION. In its response Respondent Platt River agrees to the appointment of the Public Service Commission as Trustee as requested by the Public Service Commission, agrees that it can be joined as a party to this lawsuit but resists the Public Services Commission's request that it deposit the amount of bond # 41134564 with the Public Service Commission and requests instead that the bond remain with Respondent Platte River pending presentation and determination of any obligation it may have on claims of non-party receiptholders. Petitioner Public Service Commission had asked that its motion be considered as a Rule 3.2 motion. Respondent Platt River Insurance Company has made a timely request for a hearing on the matter of the Public Service Commission's request for deposit of the bond amount.

Respondent Grabanski Grain LLC. has filed for bankruptcy. The Public Service Commission has sought and received an Order from the Bankruptcy Court granting it relief from the bankruptcy in Case #10-30924 to pursue this matter. Relief was granted by order dated January 24, 2011. No response has been received from Grabanski Grain LLC. and it appears to the Court the Grabanski Grain LLC is properly joined as a party to this matter.

It is hereby ORDERED:

1. That the Public Service Commission is hereby appointed to act as trustee of a trust fund to be established and administered in accordance with North Dakota Century Code Chapter 60-04.
2. That Grabanski Grain LLC. and Platte River Insurance Company are proper parties to this action and are hereby joined as parties.
3. That a hearing shall be held on that portion of the motion of the Public Service Commission asking that Platte River Insurance Company be required to deposit bond # 41134564 with the Public Service Commission as trustee on the ____ day of _____, 2011 at _____ o'clock __.m. before the Honorable _____ . Said hearing to be held at the Walsh County Courthouse in Grafton, North Dakota.

Dated this ____ day of March, 2011.

Judge of the District Court