

Richter, Susan K.

From: Anderson, Doug B.
Sent: Monday, June 06, 2011 4:07 PM
To: Gordon Myerchin; Geiger, Richard
Cc: Horst, Gary; Richter, Susan K.; Jeffcoat-Sacco, Ilona; Gruman, Mark E.
Subject: RE: Public Service Commission v Grabanski Grain LLC and Platte River Insurance Company

Judge Geiger:

The PSC staff and I (to a lesser degree) have been distracted by flood matters. Mr. Myerchin and I agreed to another try at a stipulation, however, I believe it appropriate to schedule an evidentiary hearing at this time on the matters in dispute, including the issues:

1. Whether Grabanski Grain, LLC, is insolvent for purposes of N.D.C.C. ch. 60-04, and if so, the date of the insolvency.
2. What amount of the penal bond should be deposited with the Court at this stage of the proceeding.

I anticipate 2 hours would be necessary for the hearing and ask that it be scheduled no earlier than June 27. Please request the calendar control clerk contact Mr. Myerchin and me for a mutually available time. In the meantime, I will communicate with Mr. Myerchin on a possible resolution.

Thank you.

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