

**Richter, Susan K.**

---

**From:** Richter, Susan K.  
**Sent:** Tuesday, August 09, 2011 3:23 PM  
**To:** 'Colleen Park'  
**Subject:** Insolvency Publication  
**Attachments:** Notice of Appointment as Trustee and Notice to File Claims.pdf

**Importance:** High

**Colleen:**

Attached is the Notice of Appointment as Trustee and Notice to File Claims in Civil No. 50-2011-CV-00029, Public Service Commission vs. Grabanski Grain LLC and Platte River Insurance Company. We would like this Notice published one each week for two consecutive weeks in the Walsh County Record (county newspaper for Grafton) starting as soon as possible. Please provide me with the publication dates.

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

Thank you and please call if you have any questions.

***Sue Richter, Licensing Division Director  
ND Public Service Commission  
600 East Boulevard Ave - Dept 408  
Bismarck, ND 58505-0480  
701-328-4097-Phone, 701-328-2410-Fax  
[srichter@nd.gov](mailto:srichter@nd.gov)***

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF WALSH

NORTHEAST JUDICIAL DISTRICT

Public Service Commission, )

CIVIL NO. 50-2011-CV-00029

Petitioner, )

vs. )

**NOTICE OF APPOINTMENT AS  
TRUSTEE AND NOTICE TO  
FILE CLAIMS**

Grabanski Grain LLC )

and )

Platte River Insurance Company )

Respondents. )

\_\_\_\_\_  
PSC Case No. GE-10-498 )

**PLEASE TAKE NOTICE** that on March 16, 2011, the NORTHEAST JUDICIAL DISTRICT executed an Order that was duly filed in the above proceeding on March 18, 2011, appointing the Public Service Commission to act as trustee of a trust fund to be established and administered in accordance with North Dakota Century Code Chapter 60-04, joining Grabanski Grain LLC and Platte River Insurance Company as parties, and setting a hearing on the portion of the Commission's motion asking that Platte River Insurance Company be required to deposit the bond proceeds with the Commission.

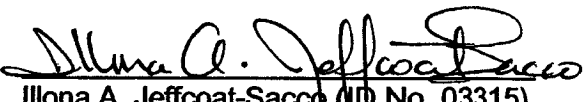
**FURTHER, PLEASE TAKE NOTICE** that an Order Approving Stipulation and Staying Deposit of Bond Proceeds was executed by the Court and duly filed in the above proceeding on July 19, 2011, ordering that, subject to further evidence in this matter Grabanski Grain LLC is insolvent within the meaning of North Dakota Century Code Chapter 60-04, establishing the date of insolvency as July 23, 2010, and staying

the portion of the Commission's motion that requests the Court order Platte River Insurance Company to deposit the penal sum of the bond in the trustee's trust account.

**FURTHER, PLEASE TAKE NOTICE THAT:**

1. Any person having a claim against Grabanski Grain LLC for the non-payment of grain purchased or marketed by Grabanski Grain LLC in 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 within forty-five (45) days after the last publication of this notice.
3. Any person filing a claim with the Public Service Commission shall include receipts or other sufficient documentation to enable the Commission to determine the validity of the claim. This could include unsatisfied grain warehouse receipts, scale tickets, checks, or other memoranda given by the public warehouseman for, or evidence of, the receipt, storage, or sale of grain, or any related contracts.
4. Unless a claim is filed with the Public Service Commission within the time specified, the claimant may be barred from participation in the trust fund.

Bismarck, North Dakota, this 9th day of August 2011.

By:   
Illona A. Jeffcoat-Sacco (ID No. 03315)  
Mark Gruman (ID No. 06019)  
Special Assistant Attorneys General  
State Capitol – 12<sup>th</sup> Floor  
600 East Boulevard Ave – Dept 408  
Bismarck, North Dakota 58505-0480  
Telephone (701) 328-2400  
Facsimile (701) 328-2410

Attorneys for the Public Service Commission