



Public Service Commission
State of North Dakota

COMMISSIONERS

Tony Clark
Brian P. Kalk
Kevin Cramer

Executive Secretary
Darrell Nitschke

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March 29, 2012

Ms. Debra Simenson
Clerk of the District Court
Burleigh County Courthouse
PO Box 1055
Bismarck, ND 58102-1055

**RE: Public Service Commission vs. Mitchell Feeds, Inc.
CIVIL NO. 08-2011-CV-00917**

PSC Case No. GE-11-51

Dear Ms. Simenson:

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

1. Notice of Entry of Order with attached copy of Order Granting Extension of Time;
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

Enclosure

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Public Service Commission,

Petitioner,

vs.

Mitchell Feeds, Inc. and Western Surety
Company

Respondents,

Michael Aasen, Donald Ackerman, Sheldon
Ackerson, Lana Anderson d/b/a Northland
Farms, B & D Farms, Inc., Busch Farms, Inc.,
David Deslauriers, Scott Lazorenko, Manna
Farms, Inc., Nathan Neameyer, Steven
Neameyer, Mitch Preskey, Paul Rohde, James
Routledge, Bart Savelkoul d/b/a Savelkoul
Farms, Mike Schollmeyer, David Steeves,
Robert Steeves, Paul Trout, Wurgler Farms,
and Kelly Wurgler,

and

American Federal Bank,

Intervenors.

PSC Case No. GE-11-51

CIVIL NO. 08-2011-CV-00917

**NOTICE OF ENTRY
OF ORDER**

PLEASE TAKE NOTICE that an Order Granting Extension of Time was
executed by the Court on March 27, 2012, and was duly filed in the above proceeding
on March 28, 2012, ordering that the time allowed to respond to the Motion for
Declaratory Judgment is extended to April 12, 2012.

A copy of this Order is attached hereto and by reference made a part hereof.

Bismarck, North Dakota, this 29th day of March 2012.

By: 

Illona A. Jeffcoat-Sacco (ID No. 03315)
Special Assistant Attorney General
State Capitol – 12th Floor
600 East Boulevard Ave – Dept 408
Bismarck, North Dakota 58505-0480
Telephone (701) 328-2400
Facsimile (701) 328-2410

Attorney for the Public Service Commission

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT

Public Service Commission,

Petitioner,

vs.

Mitchell Feeds, Inc., and
Western Surety Company,

Respondents.

vs.

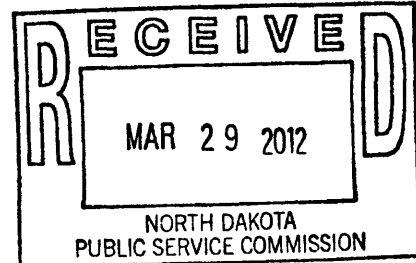
Michael Aasen, Donald Ackerman,
Sheldon Ackerson, Lana Anderson,
d/b/a Northland Farms, B&D Farms, Inc.,
Busch Farms, Inc., David Deslauriers,
Scott Lazorenko, Manna Farms, Inc.,
Nathan Neameyer, Steven Neameyer,
Mitch Preskey, Paul Rohde, James Routledge,
Bart Savelkoul, d/b/a Savelkoul Farms,
Mike Schollmeyer, David Steeves,
Robert Steeves, Paul Trout, Wurgler Farms,
and Kelly Wurgler,

and

American Federal Bank,

Intervenors.

File No. 08-2011-CV-917



ORDER GRANTING
EXTENSION OF TIME

Pursuant to the Stipulation filed by the Petitioner, Respondents and Intervenors,
IT IS ORDERED the time allowed to respond to the Motion for Declaratory
Judgment is extended to April 12, 2012.

Dated this 27th day of March, 2012, at Mandan, North Dakota.

BY THE COURT:


DONALD L. JORGENSEN
DISTRICT JUDGE

RECEIVED & FILED

81 GE-11-51 Filed: 3/29/2012 Pages: 1
Executed Order Granting Extension of Time

MAR 28 2012
Clk. of Crt. Burleigh Co.

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Public Service Commission,

Petitioner,

vs.

Mitchell Feeds, Inc.

and

Western Surety Company

Respondents.

**AFFIDAVIT OF SERVICE BY
REGULAR MAIL**

Civil No. 08-2011-CV-00917

PSC Case No. GE-11-51

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

)
)ss
)

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 **29th day of March, 2012**, she deposited in the United States Mail, Bismarck, North Dakota, **5 envelopes** by regular mail with postage fully prepaid, securely sealed and each containing a photocopy of:

1. Notice of Entry of Order with attached copy of executed Order Granting Extension of Time
2. Affidavit by Service by Regular Mail

The envelopes were addressed as follows:

David Johnson
Attorney for Mitchell Feeds, Inc.
McNair, Larson & Carlson, Ltd.
51 Broadway, Suite 600
PO Box 2189
Fargo, ND 58108

Tracy A. Kennedy
Attorney for American Federal Bank
Zimney Foster P. C.
3100 South Columbia Road, Suite 200
PO Box 13417
Grand Forks, ND 58208-3417

Derrick Braaten
Lindsey Nieuwsma
Attorneys for Intervenor Claimants
222 North 4th Street
Bismarck, ND 58501-4004

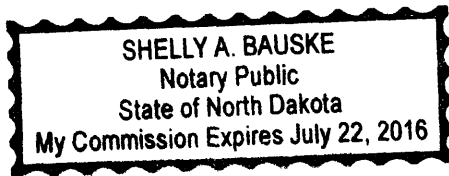
Gene W. Allen
Attorney for David Deslauiers
Wells Fargo Bank Center, Suite 305
PO Box 998
Minot, ND 58702-0998

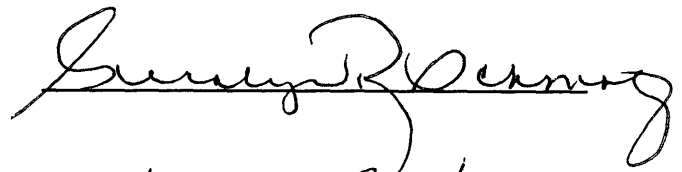
Sharon A. Sergeant
Authorized Representative of
Western Surety Company
101 South Phillips Avenue
Sioux Falls, SD 57104-6703

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **29th day of March, 2012.**

SEAL





Shelly A Bauske
Notary Public