

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Public Service Commission,

Plaintiff,

vs.

Mitchell Feeds, Inc. and Western Surety Company

Respondents.

Micheal Aasen, Donald Ackerson, Sheldon Ackerson, Lana Anderson d/b/a Northland Farms, B&D Farms, Inc., Busch Farms, Inc., David Deslauriers, Scott Lazorenko, Mana 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, Kelly Wurgler,

and

American Federal Bank,

Intervenors.

Civil No. 08-2011-CV-917


PSC Case No. GE-11-051

**REQUEST TO APPEAR  
BY PHONE**



**COMES NOW, Tracy A. Kennedy**, one of the attorneys for Intervenor American Federal Bank, and hereby respectfully requests that the Court allow her to appear telephonically at the hearing scheduled for March 17, 2014 at 9:00 a.m. CST as she is located in Grand Forks, North Dakota and would appreciate being able to minimize expenses associated with travel to the hearing which will be borne by Intervenor American Federal Bank.

Dated this 20<sup>th</sup> day of February, 2014.

  
**TRACY A. KENNEDY (ND ID #05704)**  
Zimney Foster P.C.  
3100 S. Columbia Road, Suite 200  
P.O. Box 13417  
Grand Forks, ND 58208-3417  
Phone: 701.772.8111 Fax: 701.772.7328  
[tracykennedy@northdakotalaw.net](mailto:tracykennedy@northdakotalaw.net)  
Attorneys for: Plaintiff



DATED this \_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Judge of the District Court

STATE OF NORTH DAKOTA

DISTRICT COURT

COUNTY OF BURLEIGH

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and

American Federal Bank,

Intervenors.

Civil No. 08-2011-CV-917

PSC Case No. GE-11-51

**AFFIDAVIT OF SERVICE**

STATE OF NORTH DAKOTA )  
 )SS.  
COUNTY OF GRAND FORKS )

**BRENDA R. DIPERSIO**, being first duly sworn on oath deposes and says that she is a secretary in the office of Zimney Foster P.C., 3100 South Columbia Road, Ste. 200, PO Box 13417, Grand Forks, ND 58208-3417; that on the 20<sup>th</sup> day of February, 2014, she served:

1. **American Federal Bank's Request To Appear By Phone**
2. **Proposed Order Granting Appearance by Phone**

by having it electronically served through the North Dakota Odyssey system to the individual(s) listed below:

Illona A. Jeffcoat-Sacco  
[ijs@nd.gov](mailto:ijs@nd.gov)

David L. Johnson  
[David.johnson@mlcfargolaw.com](mailto:David.johnson@mlcfargolaw.com)

Michael Maus  
[maus@mnattys.com](mailto:maus@mnattys.com)

Sandra West  
[west@mnattys.com](mailto:west@mnattys.com)

And also mailed to the following individuals via U.S. Mail:

Robert Mitchell  
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PO Box 9112  
Fargo, ND 58106

Robert Mitchell  
Mitchell Feeds, Inc.  
4905 County Highway 81 South  
Horace, ND 58047

Vicki Johnson  
Mitchell Feeds, Inc.  
1522 Robertson Ct.  
Grand Forks, ND 58201-7304

Sharon Sergeant, Claims Manager  
Senior Claims Counsel, Claim Dept.  
Western Surety Company  
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Ron Pelton  
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Sherwood, ND 58782

Wurgler Farms  
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Minot, ND 58701

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Sherwood, MN 58782

David Deslauriers  
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Sherwood, ND 58782

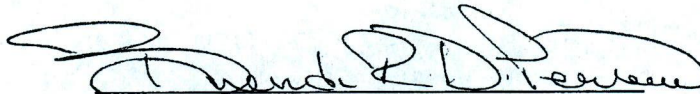
Bart Savelkoul  
Savelkoul Farms  
8221 30<sup>th</sup> Avenue NW  
Lansford, ND 58750

Shane Sickler  
2410 98<sup>th</sup> Avenue SW  
Gladstone, ND 58630

James Wallace  
315 Tuhor Dr  
Killdeer, ND 58640

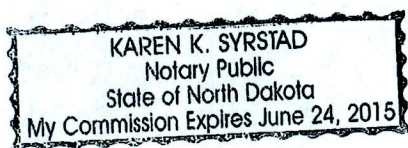
Kelly Wurgler  
1600 Parkside Dr  
Minot, ND 58701


Sheldon Ackerson  
10435 54<sup>th</sup> Avenue NW  
Sherwood, ND 58782



**BRENDA R. DIPERSIO**

Subscribed and sworn to before me this 20<sup>th</sup> day of February, 2014.



  
NOTARY PUBLIC, NORTH DAKOTA  
My commission expires: