

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Public Service Commission

CIVIL NO. 08-2011-CV-917

Plaintiff,

vs.

Mitchell Feeds, Inc. and Western Surety
Company,

Respondents.

JUDGMENT

Michael 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,
and Kelly Wurgler,

and

American Federal Bank

Intervenors.



PSC Case No. GE-11-051

1. This action came on for hearing before the Court on March 17, 2014, the Honorable Donald L. Jorgensen presiding, and the Court having ordered:
2. That the Report and Recommendation of the Trustee, which recommends deposit of bond proceeds and distribution of bond proceeds to valid cash claimants, is approved.

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Clk. of Crt. Burleigh Co.

3. That the surety, Western Surety Company, 101 South Phillips Avenue, P.O. Box 5077, Sioux Falls, South Dakota 58104-6703, within ten (10) days of the date of the Order, shall deposit \$70,000, the total amount of the bond proceeds with the Trustee for payment of valid cash claims.
4. That the Commission, as Trustee, is authorized to make payments from the trust fund to claimants with valid cash claims for grain purchased for cash by Mitchell Feeds, Inc., in North Dakota, as specified in the Report and Recommendation of Trustee. That payments for each cash claim shall be made jointly payable to the claimant and relevant valid lien holders at the time checks are issued.
5. That upon distribution of the trust fund proceeds to the cash claimants, as provided for in the Trustee's report, the Trustee is discharged.

Let Judgment be entered accordingly

Dated at Bismarck, North Dakota, this 8th day of April 2014.

Debra Simensen, Clerk