

Richter, Susan K.

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To: Richter, Susan K.
Subject: Accepted Filing Notification for Case No. 08-2011-CV-00917 (Public Service Commission vs. Mitchell Feeds, Inc., et al.)

This is an accepted filing notification for Case No. 08-2011-CV-00917, Public Service Commission vs. Mitchell Feeds, Inc., et al..

Case:(Public Service Commission vs. Mitchell Feeds, Inc., et al.)

Filing Code:(Notice of Entry of Judgment)

Filing Type:(EFileAndServe)

Date Submitted: 4/23/2014 1:52:16 PM

Date Accepted: 4/23/2014 2:11:07 PM

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150 GE-11-51 Filed: 4/23/2014 Pages: 4
E-file to Court - Notice of Entry of Order and Notice
of Entry of Judgment

Public Service Commission

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.

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

CIVIL NO. 08-2011-CV-917

NOTICE OF ENTRY OF ORDER

and

NOTICE OF ENTRY OF JUDGMENT

To: Respondent, Mitchell Feeds, Inc., and its Attorney of Record, David L. Johnson, McNair, Larson & Carlson, Ltd., Suite 600, Dakota Center Building, 51 Broadway, PO Box 2189, Fargo, ND 58108;

Respondent Western Surety Company, Sharon Sergeant, Claims Manager, 101 South Reid Street, Suite 300, Sioux Falls, SD 57103-7046;

Intervenor, Raul Rohde, and his Attorney of Record, Michael J. Maus, Maus & Nordsven, PC, 13 1st Avenue West, PO Box 570, Dickinson, ND 58602-0570;

Intervenor, American Federal Bank, and its Attorney of Record, Tracy A. Kennedy, Zimney Foster PC, 3100 S. Columbia Road, Suite 200, PO Box 13417, Grand Forks, ND 58208-3417;

Intervenor, Michael Aasen, 4465 County Road 2, Sherwood, ND 58782;

Intervenor, Donald Ackerson; 10435 54th Avenue NW, Sherwood, ND 58782;

Intervenor, Sheldon Ackerson, 10435 54th Avenue NW, Sherwood, ND 58782;

Intervenor, Lana Anderson d/b/a Northland Farms, 10845 53rd Avenue NW, Sherwood, ND 58782;

Intervenor, B & D Farms, Inc., 3551 County Road 2, Sherwood, ND 58782;

Intervenor, Busch Farms, Inc., 10685 101st Avenue NW, Columbus, ND 58730;

Intervenor, David Deslauriers, 4915 County Road 2, Sherwood, ND 58782;

Intervenor, Scott Lazorenko, 899 Brew Street, Killdeer, ND 58640;

Intervenor, Mana Farms, Inc., 3551 County Road 2, Sherwood, ND 58782;

Intervenor, Steven Neameyer, 4921 85th Street, Mylo, ND 58353;

Intervenor, Mitch Preskey, 2485 Glenburn Road, Glenburn, ND 58740;

Intervenor, James Routledge, 3050 76th Street NW, Glenburn, ND 58740;

Intervenor, Bart Savelkoul d/b/a Savelkoul Farms, 8221 30th Avenue NW, Lansford, ND 58750;

Intervenor, Mike Schollmeyer, 549 101st Avenue SW, Dunn Center, ND 58626;

Intervenor, David Steeves, 4690 County Road 2, Sherwood, ND 58782;

Intervenor, Robert Steeves, 227 3rd Avenue East, Sherwood, ND 58782;

Intervenor, Paul Trout, 10285 Highway 28, Sherwood, ND 58782;

Intervenor, Wurgler Farms, 1600 Parkside Drive, Minot, ND 58701;

Intervenor, Kelly Wurgler, 1600 Parkside Drive, Minot, ND 58701;

1. **PLEASE TAKE NOTICE** that on 17 March 2014 the Court issued its Order Approving Trustee's Report, Requiring Deposit of Bond Proceeds, Approving Payment, and Discharging Trustee, which was duly entered in the captioned proceeding on 17 March 2014, as Document Number 136, approving the Report

and Recommendation of the Trustee, which recommends deposit of bond proceeds and distribution of bond proceeds to valid cash claimants: requiring the surety, Western Surety Company, to deposit the total amount of the bond proceeds with the Trustee for payment of valid cash claims; authorizing the Commission, as Trustee, 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, and, upon the distribution of trust fund proceeds to the cash claimants as provided in the Trustee's report, discharging the Trustee.

2. **FURTHER PLEASE TAKE NOTICE** that a judgment was duly entered in the captioned action on the 8 April 2014, as Document Number 138, in favor of the Petitioner and against Respondents Mitchell Feeds, Inc. and Western Surety Company.
3. A copy of the Order and a copy of the Judgment are included with this Notice, for those served other than via the Odyssey Electronic Service and File System.
4. Dated at Bismarck, North Dakota, this 23rd day of April 2014.



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