

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

_____)	
Public Service Commission)	CIVIL NO. _____
)	
Petitioner,)	
)	
vs.)	NOTICE OF APPLICATION
)	FOR APPOINTMENT AS
Anderson Seed Co., Inc.)	TRUSTEE AND FOR
)	EX PARTE ORDER AND
Respondent.)	NOTICE OF MOTION UNDER
_____)	RULE 3.2
)	
PSC Case No. GE-12-78)	
_____)	

TO: **Chuck Gimbel, Registered Agent, Anderson Seed Co., Inc., Hwy 12 N., P.O. Box 201, Mentor, Minnesota 56736-0201.**

Gary Leistico, Attorney for Anderson Seed Co., Inc., 1015 West St. Germain Street, Suite 300 US Bank Plaza, St. Cloud, Minnesota 56301

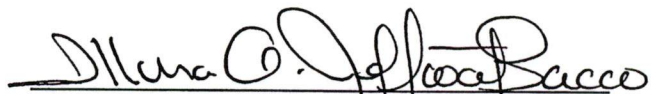
Ronald Anderson, Anderson Seed Co., Inc., Route 1, Box 297, Mentor, Minnesota 56736

PLEASE TAKE NOTICE that the Public Service Commission respectfully moves the Court for Appointment as Trustee and for Ex Parte Order. The Public Service Commission further moves the Court for an order declaring Anderson Seed Co., Inc. insolvent within the meaning of North Dakota Century Code Chapter 60-04 and establishing the date of insolvency as February 15, 2012, the date the first claim for non payment for sunflower seeds delivered or sold.

The application, affidavit and brief in support of the application are attached to this notice and by reference made a part hereof.

YOU ARE HEREWITH NOTIFIED that the attached Application includes a request for appointment as trustee and declaration of insolvency as of February 15, 2012, and a request for an *ex parte* order under North Dakota Century Code §60-04-03. The application for appointment as trustee and declaration of insolvency is submitted to the Court pursuant to Rule 3.2 of the North Dakota Rules of Court and will be decided on briefs unless oral argument is timely requested. You have fourteen (14) days after the service of the notice to file your response and other supporting papers.

Bismarck, North Dakota, this **29th day of February, 2012.**



Illona A. Jeffcoat-Sacco
Special Assistant Attorney General
State Bar ID No. 03315
Public Service Commission
600 E. Boulevard Avenue, Dept 408
Bismarck, ND 58505
(701) 328-2407
(701) 328-2410 fax

Attorney for the Public Service Commission