

# ANDERSON, BOTTRELL, SANDEN & THOMPSON

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May 16, 2012



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Illona A. Jeffcoat-Sacco  
Sue Richter  
Special Assistant Attorney General  
North Dakota Public Service Commission  
600 E. Boulevard Avenue, Dept. 408  
Bismarck, ND 58505

Re: Anderson Seed Co., Inc.

Dear Mss. Jeffcoat-Sacco and Richter:

On May 16, 2012, I had a conversation with Gary Leistico, counsel for Anderson Seed. Mr. Leistico indicated that he anticipated getting documents to you within the next month per your request and timeline. He also indicated that in that time period Anderson Seed would be able to explain where the funds are at and what funds are available to pay back all producers from North Dakota, South Dakota, Minnesota, Montana and Nebraska. In the past, Mr. Leistico has promised certain documents to me and not gotten the same, so I am writing to inquire whether this is true or not, i.e. do you anticipate getting documents from him in the next month or so?

Additionally, Mr. Leistico made an interesting comment regarding Legumex Walker's desire to do business within the State of North Dakota. Pursuant to the grain warehouse statutes, North Dakota does not need to recognize the sale from Anderson Seed to Legumex Walker as no notice was given to any entity of this transaction. Is the Public Service Commission, when North Dakota farmers are out over approximately \$2 million dollars, going to allow Legumex Walker to conduct business in the State of North Dakota at this time? If so, can you please explain why?

Sincerely,

Michael L. Gust

MLG\jae

cc: Kevin Cramer  
Tony Clark  
Brian P. Kalk  
Wayne Stenehjem

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92 GE-12-78 Filed: 5/17/2012 Pages: 1

Letter re documents and Legumex Walker  
conducting business in North Dakota

Michael L. Gust for Mike Faul

Michael Gust, Attorney