

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MCLEAN

SOUTH CENTRAL JUDICIAL DISTRICT

_____)	
Public Service Commission)	CIVIL NO. 28-2012-CV-00176
)	
Petitioner,)	
vs.)	NOTICE OF MOTION AND
)	NOTICE OF HEARING
Falkirk Farmers Elevator Co.)	
)	
Respondent.)	
_____)	
PSC Case No. GE-12-769)	
)	
_____)	

1. **PLEASE TAKE NOTICE** that the North Dakota Public Service Commission (Commission) as Trustee of the trust created by the insolvency of Falkirk Farmers Elevator Co. respectfully moves the court for an order bifurcating the proceeding, approving the First Report and Recommendation of Trustee, and authorizing payments to valid credit-sale claimants and reimbursement to the Commission, as Trustee, from the Credit-Sale Contract Indemnity Fund. The corresponding Motion is being filed with the court contemporaneously with this Notice.

2. **FURTHER PLEASE TAKE NOTICE** that a copy of the Motion to Bifurcate Proceeding, Approve First Report and Recommendation of Trustee, and Approve Credit-Sale Contract Indemnity Fund Payments, as well as a copy of the First Report and Recommendation of Trustee and the Proposed Order Bifurcating Proceeding, Approving First Report and Recommendation of Trustee, and

Approving Credit-Sale Contract Indemnity Fund Payments are herewith served upon you.

3. **FURTHER PLEASE TAKE NOTICE** that the Court has scheduled a hearing on this matter for **March 13, 2014 at 9:30 a.m., CST**, at the Burleigh County Courthouse, 514 East Thayer Avenue, Bismarck, North Dakota 58501.
4. **FURTHER PLEASE TAKE NOTICE** that under North Dakota Century Code section 60-04-09, any aggrieved person having an objection to the Commission's First Report and Recommendation of Trustee shall file the objection with the Court and serve copies on the Commission, the warehouseman, and the surety at least ten (10) days before the hearing. Failure to file and serve objections in the time set is a waiver of the objection.
5. Respectfully submitted at Bismarck, North Dakota, this **31st day December, 2013**.



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