

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MCLEAN

SOUTH CENTRAL JUDICIAL DISTRICT

_____)	
Public Service Commission)	CIVIL NO. 28-2012-CV-00176
)	
Petitioner,)	MOTION TO BIFURCATE
)	PROCEEDING, APPROVE
vs.)	FIRST REPORT AND
)	RECOMMENDATION OF
Falkirk Farmers Elevator Co.)	TRUSTEE, AND
)	APPROVE CREDIT-SALE
Respondent.)	CONTRACT INDEMNITY FUND
_____)	PAYMENTS
)	
PSC Case No. GE-12-769)	
_____)	

1. The undersigned respectfully moves the Court for an Order Bifurcating the Proceeding into a Trust Fund portion and a Credit-Sale Contract Indemnity Fund portion, Approving Trustee's First Report and Recommendation regarding credit-sale contract claims, and Approving Payment from the Credit-Sale Contract Indemnity Fund in the above matter.

2. The request to bifurcate the proceeding into a Trust Fund portion and Credit-Sale Contract Indemnity Fund portion is made in order for the Commission to obtain a final adjudication of the Credit-Sale Contract Indemnity Fund claims, and make corresponding payments to credit-sale contract claimants and partial reimbursement of expenses to the Commission, while the claim relating to the Trust Fund remains pending.

3. Respectfully submitted at Bismarck, North Dakota this **31st day of December, 2013.**



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