

Richter, Susan K.

From: no-reply@tylerhost.net
Sent: Tuesday, July 29, 2014 4:22 PM
To: Richter, Susan K.
Subject: Courtesy Notification of filing for Case No. 28-2012-CV-00176 (Public Service Commission vs. Falkirk Farmers Elevator Co.).

This is a courtesy notification of Filing for Case 28-2012-CV-00176 (Public Service Commission vs. Falkirk Farmers Elevator Co.),

Date Submitted: 7/29/2014 3:51:09 PM
Filed By: sbauske@nd.gov
Filing Type: EFileAndServe
Filing Code: Notice
Filing Description: Notice of Motion

Copy this URL into your browser's address bar to view the document:

<http://northdakota.tylerhost.net/ViewDocuments.aspx?FID=49e05eea-9550-400a-b917-99c27c1f260e>

This link will remain active for 30 days.

This message was automatically generated using Odyssey File & Serve; do not reply to this email.

For assistance, contact the North Dakota Court's Information Technology Department at 701.328.4218. Support is available 8 a.m. to 5 p.m. CT, Monday through Friday.

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
Falkirk Farmers Elevator Co.)	
)	
Respondent.)	
_____)	
PSC Case No. GE-12-769)	
)	
_____)	

**TO: WESTERN SURETY COMPANY, P.O. BOX 5077, SIOUX FALLS, SOUTH DAKOTA 57117-5077.
AND
RESPONDENT, FALKIRK FARMERS ELEVATOR COMPANY AND ITS ATTORNEY MICHAEL LEONARD GUST, ANDERSON, BOTTRELL, SANDEN AND THOMPSON, 4132 30TH AVE SW, SUITE 100, P.O. BOX 10247, FARGO, NORTH DAKOTA 58106**

1. **PLEASE TAKE NOTICE** that the Public Service Commission as Trustee of the trust created by the insolvency of Falkirk Farmers Elevator Co., has moved the Court for an order joining the surety, Western Surety Company, as a respondent in this proceeding. The motion has been filed with the Court, the Honorable Gail Hagerty, Judge of the District Court, McLean County, North Dakota, seeking joinder of Western Surety Company as respondent, under North Dakota Century Code section 60-04-03.3.
2. This motion is brought under Rule 3.2 of the North Dakota Rules of Court and will be decided on the briefs provided to the Court unless a request for oral argument

is made not later than seven (7) days after expiration of the time for filing an answering brief.

3. This motion is made on the brief of the Petitioner, all of the files, records and proceedings herein and on the statutes of the state of North Dakota.

4. Dated this 29th day of July, 2014.



Illona A. Jeffcoat-Sacco (ID No. 03315)
Special Assistant Attorney General
State Capitol – 12th Floor
600 East Boulevard Ave – Dept 408
Bismarck, North Dakota 58505-0480
Telephone (701) 328-2400
Facsimile (701) 328-2410
ijs@nd.gov

Attorney for the Public Service Commission, as
Trustee