

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF WELLS

SOUTHEAST JUDICIAL DISTRICT

Public Service Commission

Petitioner,

vs.

Earth Harvest Mills, Inc.

Respondent.

PSC Case No. GE-13-193

CIVIL NO. 52-2013-CV-00033

NOTICE OF MOTION

TO: WASHINGTON INTERNATIONAL INSURANCE COMPANY, 475 NORTH MARTINGALE ROAD, SUITE 850, SCHAUMBURG, IL 60173 AND RESPONDENT, EARTH HARVEST MILLS, INC., 500 NORTH STREET WEST, HARVEY, ND 58341-1012

1. **PLEASE TAKE NOTICE** that the Public Service Commission (Commission) as Trustee of the trust created by the insolvency of Earth Harvest Mills, Inc., has moved the Court for an order approving the joinder of the surety, Washington International Insurance Company. The motion has been filed with the above-named Court, the Honorable James D. Hovey, Judge of the District Court, Wells County, North Dakota, seeking joinder of Washington International Insurance 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 7th day of March, 2014.


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