

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 AND  
NOTICE OF HEARING

1. **PLEASE TAKE NOTICE** that the Public Service Commission, as Trustee of the trust created by the insolvency of Earth Harvest Mills, Inc., respectfully moves the Court for an Order approving the Report and Recommendation of Trustee, Requiring Deposit of Bond Proceeds, Authorizing Payment and Discharging Trustee. The corresponding Motion and Brief in Support of Motion are being filed with the Court contemporaneously with this Notice.
2. **FURTHER, PLEASE TAKE NOTICE** that a copy of the Motion to Approve Report and Recommendation of Trustee, Require Deposit of Bond Proceeds, Approve Payment, and Discharge Trustee, as well as a copy of the Report and Recommendation of Trustee and a proposed order are herewith served upon you.

3. **FURTHER, PLEASE TAKE NOTICE** that the Court has scheduled a hearing on this matter for **May 14, 2014 at 3:30 p.m., CDT**, at the Wells County Courthouse, 700 Railway Street North, Fessenden, North Dakota 58438.
4. **FURTHER, PLEASE TAKE NOTICE** that under North Dakota Century Code section 60-04-09, any aggrieved person having an objection to the Report and Recommendation of Trustee shall file the objection with the Court and serve copies on the Public Service 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 28<sup>th</sup> day of March, 2014.



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