



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Brian P. Kalk  
Randy Christmann  
Julie Fedorchak

Executive Secretary  
Darrell Nitschke

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September 22, 2014

RE: Civil No. 52-2013-CV-00033  
Earth Harvest Mills, Inc., Insolvency  
PSC Case No. GE-13-193

Dear Valid Credit-Sale Contract Claimant:

The purpose of this letter is to provide you with an update regarding the status of the Earth Harvest Mills, Inc. insolvency. You're receiving this letter because a check has not been issued to you representing payment for your valid credit-sale contract claim from the Credit-Sale Contract Indemnity Fund.

North Dakota Century Code section 60-04-09 provides that when the Commission, as trustee, files its report with the court, the report must show the amount and validity of each claim after recognizing any proper liens or pledges. The Commission has spent considerable time researching how Canadian law might be applied to Canadian grain marketed in the United States so clear title can be assured.

The Commission is working to resolve this matter as quickly as possible. A check cannot be issued to you until the matter is resolved.

Thank you for your continued patience.

Sincerely,

Susan K. Richter, Director  
Licensing Division



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September 22, 2014

Mr. Tim Lervick  
Crowley Fleck PLLP  
400 East Broadway – Suite 600  
PO Box 2798  
Bismarck, ND 58502-2798

RE: Civil No. 52-2013-CV-00033  
Earth Harvest Mills, Inc., Insolvency  
PSC Case No. GE-13-193

Dear Mr. Lervick:

The purpose of this letter is to provide you with an update regarding the status of the Earth Harvest Mills, Inc. insolvency. You're receiving this letter because a check has not been issued to your client representing payment for your client's valid credit-sale contract claim from the Credit-Sale Contract Indemnity Fund.

North Dakota Century Code section 60-04-09 provides that when the Commission, as trustee, files its report with the court, the report must show the amount and validity of each claim after recognizing any proper liens or pledges. The Commission has spent considerable time researching how Canadian law might be applied to Canadian grain marketed in the United States so clear title can be assured.

The Commission is working to resolve this matter as quickly as possible. A check cannot be issued to your client until the matter is resolved.

Thank you for your continued patience.

Sincerely,

A handwritten signature in blue ink that reads "Susan K. Richter".

Susan K. Richter, Director  
Licensing Division