

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF Grand Forks

NORTHEAST CENTRAL JUDICIAL DISTRICT

Public Service Commission

Petitioner,

vs.

Grand Forks Bean Company, Inc.

Respondent.

CIVIL NO. 18-2015-CV-00240

AFFIDAVIT OF SERVICE  
BY CERTIFIED AND  
REGULAR MAIL

PSC Case No. GE-15-36

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

)  
)ss  
)

**Geralyn R. Schmaltz** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **16<sup>th</sup> day of March 2015**, she deposited in the United States Mail, Bismarck, North Dakota, 1 envelope with certified postage, return receipt requested, securely sealed and containing a photocopy of:

1. Notice of Entry of Ex Parte Order with attached copy of executed Ex Parte Order to Preserve Trust Assets.
2. Affidavit of Service by Certified

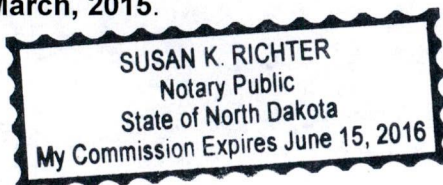
The envelope was addressed as follows:

Tad McGurk, President and Registered Agent  
Grand Forks Bean Company, Inc.  
630 Schroeder Drive  
Grand Forks, ND 58201  
Certified No. 7013 2630 0001 2317 1641

To the best of affiant's knowledge the address shown are the addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this **16<sup>th</sup> day of March, 2015**.

SEAL




*Geralyn R. Schmaltz*  
\_\_\_\_\_  
*Susan K. Richter*  
\_\_\_\_\_  
Notary Public

59 GE-15-36 Filed: 3/16/2015 Pages: 7  
Affidavit of Service by Certified and Regular Mail





3. Bismarck, North Dakota, this **25th day of February 2015**.

By:   
Illona A. Jeffcoat-Sacco (ID No. 03315)  
Casey A. Furey (ID No. 08035)  
Special Assistant Attorneys General  
State Capitol – 12<sup>th</sup> Floor  
600 East Boulevard Ave – Dept 408  
Bismarck, North Dakota 58505-0480  
Telephone (701) 328-2400  
Facsimile (701) 328-2410  
[ijs@nd.gov](mailto:ijs@nd.gov)

Attorneys for the Public Service Commission

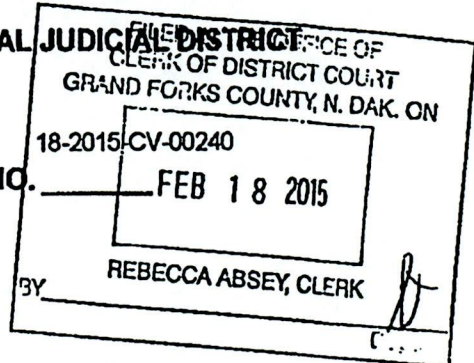
STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF GRAND FORKS

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CIVIL NO.

FEB 18 2015

REBECCA ABSEY, CLERK

EX PARTE ORDER TO PRESERVE TRUST ASSETS



PSC Case No. GE-15-36

1. The Public Service Commission has moved the Court for appointment as trustee of Grand Forks Bean Company, Inc. under North Dakota Century Code Chapter 60-04 and for an *Ex Parte* Order to Preserve Trust Assets. Grand Forks Bean Company, Inc., 2120 North Washington Street, Grand Forks, North Dakota 58201, operates as a grain warehouseman in the State of North Dakota.
2. It appears from the record that Grand Forks Bean Company, Inc. is insolvent under North Dakota Century Code Chapter 60-04, and that it is in the best interest of the claimants and the parties to this proceeding that an *Ex Parte* Order be issued by this Court to preserve and protect the potential assets of the trust fund until the court issues its order granting or denying the application.
3. North Dakota Century Code section 60-04-03.1 provides that the trust fund must consist of the following:

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF GRAND FORKS

NORTHEAST CENTRAL

JUDICIAL DISTRICT OFFICE OF  
CLERK OF DISTRICT COURT  
GRAND FORKS COUNTY, N. DAK. ON

Public Service Commission

Petitioner,

vs.

Grand Forks Bean Company, Inc.

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PSC Case No. GE-15-36

CIVIL NO.

18-2015-CV-00240

FEB 18 2015

BY

REBECCA ABSEY, CLERK

EX PARTE ORDER  
TO PRESERVE TRUST  
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Daniel L. Gaustad  
Attorney for Brent Baldwin/Baldwin Farms  
& Duane Altendorf  
24 North 4<sup>th</sup> Street  
PO Box 5758  
Grand Forks, ND 58206-5758

Jon R. Brakke  
Attorney for Curt Amundson &  
The Estate of Brad Nelson  
218 NP Avenue  
Fargo, ND 58102

John D. Schroder  
Attorney for Bremer Bank  
3100 South Columbia Road Suite 200  
Grand Forks, ND 58201

Curtis Amundson  
CR Farms  
43507 120<sup>th</sup> St. SW  
East Grand Forks, MN 56721

Brad Nelson Estate  
(Beth Nelson, Personal Representative)  
27 Garden Ct. NW  
East Grand Forks, MN 56721

Brent Baldwin  
Baldwin Farms, Inc.  
8244 144<sup>th</sup> Avenue NE  
St. Thomas, ND 58276

Nick Adams  
165 16<sup>th</sup> Street NE  
Reynolds, ND 58273

Russ J. Melland  
Attorney for Ronald Adams, Nickolas Adams,  
Chuck B. Nelson & WJG Nelson (Jon & Steve  
Nelson)  
401 DeMers Avenue, Suite 500  
Grand Forks, ND 58206-5849

Tracy A. Kennedy  
Attorney for Bremer Bank  
3100 South Columbia Road Suite 200  
Grand Forks, ND 58201

Scott Knudsvig,  
Attorney for Fessenden Cooperative Assn.  
2525 Elk Drive, PO Box 1000  
Minot, ND 58702-1000

Charles B. Nelson  
Nelson Farms  
795 11<sup>th</sup> Street NE  
Thompson, ND 58278

Jon Nelson  
WJS Nelson Farms  
18281 495<sup>th</sup> Avenue NW  
Oslo, MN 56744

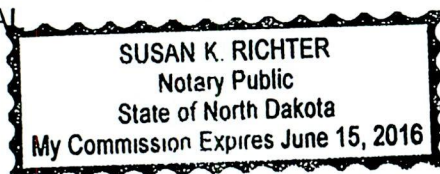
Ron Adams  
165 16<sup>th</sup> Street NE  
Reynolds, ND 58273

Duane Altendorf  
14383 83 Rd. NE  
St. Thomas, ND 58276

To the best of affiant's knowledge the addresses shown are the addressees' last reasonably ascertainable post office addresses.

Subscribed and sworn to before me  
this 25<sup>th</sup> day of February, 2015.

SEAL



*Gerald R. DeMery*  
*Susan K. Richter*  
Notary Public