

Richter, Susan K.

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Subject: Notification of Service for Case No. 18-2015-CV-00240 (Public Service Commission, et al. vs. Grand Forks Bean Company, Inc.)

This is a service filing for Case No. 18-2015-CV-00240, Public Service Commission, et al. vs. Grand Forks Bean Company, Inc..

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STATE OF NORTH DAKOTA
COUNTY OF GRAND FORKS

IN DISTRICT COURT
NORTHEAST JUDICIAL DISTRICT

Public Service Commission,

Petitioner,

vs.

Grand Forks Bean Company, Inc.

Respondent.

PSC Case No. GE-15-36

Civil No.: 18-2015-CV-00240

**CLAIM OF FESSENDEN
COOPERATIVE ASSOCIATION**

COMES NOW, Claimant Fessenden Cooperative Association, by and through its Attorney, Scott M. Knudsvig, for and as its Claim in response to Petitioner's Notice of Appointment as Trustee and Notice to File Claims, alleges and states as follows:

[1] Fessenden Cooperative Association ("FCA") is a North Dakota cooperative association whose principal place of business is located at 900 S Railway St., Fessenden, ND 58438-0126.

[2] Grand Forks Bean Company, Inc. ("GFB"), as buyer, entered into contract #22022 on May 31, 2013 with FCA, as seller, for the purchase of pinto beans in the amount of 10,000 cwt priced at \$40 per cwt. This contract is attached hereto as **Exhibit A**. On September 25, 2013, GFB, as buyer, entered into contract #22162 with FCA, as seller, for the purchase of pinto beans in the amount of 10,000 cwt priced at \$45 per cwt. This contract is attached hereto as **Exhibit B**. GFB refused to take delivery of the pinto beans under the contracts. The amount owed by GFB to FCA under the contracts is \$850,000.00, upon delivery.

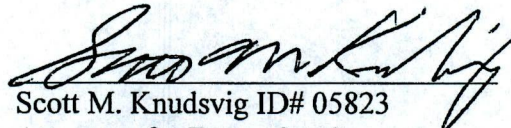
[3] FCA's damages, as measured on January 26, 2015, the date on which FCA determined GFB was in breach of the contracts is \$270,000. The damage calculation is set forth in **Exhibit C**

attached hereto. FCA asserts a claim in the amount of \$270,000, together with interest at the legal rate from the date payment was to be made pursuant to the contracts.

Dated this 26th day of May, 2015

Pringle & Herigstad, P.C.

By:



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