

**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. )

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Filing Desc: Bremer Bank, NA's Response to PSC's Motion for Additions to Court's May 3, 2016 Order and For Deposit of Bond Proceeds

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The following are service contacts on this filing:

Public Service Commission:

Mitchell Armstrong (marmstrong@smithbakke.com)

Sara Forsberg (sforsberg@smithbakke.com)

Tiffany Knopik (tknopik@smithbakke.com)

Anna Heinen (aheinen@smithbakke.com)

Brian Schmidt (bschmidt@smithbakke.com)

Illona Jeffcoat-Sacco (ijs@nd.gov)

Casey Furey (cfurey@nd.gov)

Auto-Owners Insurance Company:

Michael Morley (mmorley@morleylawfirm.com)

Toni Nicolson (tnicolson@morleylawfirm.com)

Other Service Contacts not associated with a party on the case:

Sue Schaumburg (sschaumburg@camrudlaw.com)

Scott Knudsvig (sknudsvig@i 357 GE-15-36 Filed 05/31/2016 Pages: 4  
Notification of Service - Response to Motion for Additions to Order and Deposit of Bond Proceeds  
Bremer Bank, National Association  
Tracy Kennedy, John Schroeder, Attorneys

John Schroeder (jschroeder@northdakotalaw.net)

Daniel Gaustad (dan@grandforkslaw.com)

Russ Melland (rmelland@camrudlaw.com)

Tracy Kennedy (tracykennedy@northdakotalaw.net)

Susan Richter (srichter@nd.gov)

Jon Brakke (jbrakke@vogellaw.com)

Daniel Gaustad (dan@grandforkslaw.com)

Joel Arneson (jfamoose@gra.midco.net)

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IN DISTRICT COURT, GRAND FORKS COUNTY, STATE OF NORTH DAKOTA

Public Service Commission,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Civil No. 18-2015-CV-00240
	)	
Grand Forks Bean Company, Inc.,	)	<b>BREMER BANK,</b>
Auto-Owners Insurance Company,	)	<b>NATIONAL ASSOCIATION'S</b>
	)	<b>RESPONSE TO PUBLIC</b>
Respondents,	)	<b>SERVICE COMMISSION'S</b>
	)	<b>MOTION FOR ADDITIONS</b>
	)	<b>TO THE COURT'S MAY 3, 2016</b>
_____	)	<b>ORDER AND FOR DEPOSIT OF</b>
PSC Case No. GE-15-36	)	<b>BOND PROCEEDS</b>
	)	

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¶1. COMES NOW Bremer Bank, National Association (“Bremer Bank”) and hereby provides the following response to the Public Service Commission’s (“PSC” or “Commission”) Motion for Additions to the Court’s May 3, 2016 Order, and for Deposit of Bond Proceeds (“PSC’s Motion”):

¶2. Bremer Bank objects to finding that Curt Amundson is owed on his credit sale claim at \$30.00 per hundredweight. Bremer Bank maintains that the insolvency date for Grand Forks Bean Company, Inc. (“Grand Forks Bean”) was December 19, 2014, and the price for Curt Amundson’s claim should be set based on that insolvency date, and set a price for Mr. Amundson’s claim based on \$23/cwt. This is consistent with the court’s findings regarding Mr. Amundson contained at paragraphs 59-61 of its Order dated May 3, 2016.

¶3. Bremer Bank objects to the inclusion of a seed offset and an offset for service fees to reduce the amount that may be owed to Curt Amundson from the Credit Sale Indemnity Fund, as Bremer Bank maintains a properly perfected security interest in the “accounts” of Grand Forks Bean and using those to offset the amount owed out of the Credit Sale

Indemnity Fund is improper.

¶4. Bremer Bank does not resist the Commission's request that Respondent Auto-Owners be required to pay the full penal sum of the bond.

¶5. Bremer Bank incorporates its Objection to Proposed Commission Fees and Expenses, and Brief in Support.

¶6. Bremer Bank does not resist the Commission's request to allow payments made to claimants to also include payment jointly to any lienholders.

¶7. This Response is made pursuant to N.D.R.Ct. 3.2. This Response is based on the Brief filed in support of the Motion and on all pleadings and records on file with the court.

Dated this 31 day of May, 2016.



**TRACY A. KENNEDY, ND ID # 05704**

**JOHN D. SCHROEDER, ND ID #07147**

Zimney Foster P.C.

3100 South Columbia Road, Suite 200

Grand Forks ND 58201

Telephone: (701) 772-8111

Fax: (701) 772-7328

[tracykennedy@northdakotalaw.net](mailto:tracykennedy@northdakotalaw.net)

[jschroeder@northdakotalaw.net](mailto:jschroeder@northdakotalaw.net)

Attorneys for Bremer Bank, National  
Association