

**Richter, Susan K.**

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**Sent:** Wednesday, July 06, 2016 12:43 PM  
**To:** Richter, Susan K.  
**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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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)

Daniel Gaustad (dan@grandforkslaw.com)

Russ Melland (rmelland@camrudlaw.com)

**373 GE-15-36** Filed: 7/6/2016 Pages: 4  
**Notification of Service – Letter to Judge Jon J. Jensen dated 7-6-15**

Auto-Owners Insurance Company

Michael Morley, Morley Law Firm, LTD.

Tracy Kennedy (tracykennedy@northdakotalaw.net)

Susan Richter (srichter@nd.gov)

Scott Knudsvig (sknudsvig@pringlend.com)

John Schroeder (jschroeder@northdakotalaw.net)

Jon Brakke (jbrakke@vogellaw.com)

Daniel Gaustad (dan@grandforkslaw.com)

Joel Arneson (jfamoose@gra.midco.net)

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# MORLEY LAW FIRM, LTD.

Attorneys

MICHAEL J. MORLEY  
BRADLEY J. BEEHLER\*  
KRAIG A. WILSON  
SEAN F. MARRIN

\*Also licensed in South Dakota

4000 Garden View Drive, Suite 100

P.O. Box 14519

Grand Forks, ND 58208-4519

Telephone: (701) 772-7266

Facsimile: (701) 772-7269

Firm e-mail: morley@morleylawfirm.com

www.morleylawfirm.com

Paralegal

MAGEN E. PAVLICEK, CP

Office Manager

MERIDITH L. LARSON

July 6, 2016

Via Odyssey

Honorable Jon J. Jensen  
Judge of the District Court  
124 South Fourth Street  
Grand Forks, ND 58201

Re: *Public Service Commission v. Grand Forks Bean Company, Inc., et. al.*  
Case No.: 18-2015-cv-00240

Dear Judge Jensen:

As you know, I represent the Auto-Owners Insurance Company in this matter. I have received your "Order Resolving Post-Hearing Issues" dated and entered July 5, 2016.

Please forgive the informality of this letter, however, I write to respectfully request that the Court correct what appears to be a clerical mistake or oversight in the Court's Order.

In Paragraph 16, at pages 6 and 7 of the Court's Order, the Court ordered that the PSC's fees and expenses be allocated 50/50 between the Trust Fund in these proceedings and the Chapter 60-10 Credit-Sale Contract Indemnity Fund.

In Paragraph 17, at page 7 of the Court's Order, the Court ordered that Auto-Owners deposit the entire amount of its surety bond into the Trust Fund, subject to a later Order for an appropriate reimbursement to Auto-Owners of any unused bond proceeds.


However, it appears that there is an inconsistency between Part 2, on Page 8 of the Court's Order, and Paragraph 16, at pages 6 and 7 of the Order. At Part 2, Page 8, the Court appears to order that all of the PSC's claimed fees and expenses are payable from the Trust Fund. However, the Court had previously ordered that those fees and expenses be paid 50/50 from the Trust Fund and Credit-Sale Contract Indemnity Fund. In order to correct this apparent clerical error and oversight, I would respectfully request that the third line of Part 2, at Page 8 of the Court's Order, be deleted and replaced with the following: . . . "matter are payable 50/50 from the Trust Fund involved in this proceeding and the N.D.C.C. Chapter 60-10 Credit-Sale Contract Indemnity Fund that is not."

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I believe that with this clerical correction to Part 2, Page 8 of the Court's Order, that Part 2 of the Order would be consistent with Paragraphs 16 and 17 at Pages 6 and 7 of the Order.

Thank you for your attention to this letter and, again, I apologize for the informality. If the Court requires a more formal motion pursuant to Rule 60, N.D.R.Civ.P., please advise.

Sincerely,

  
Michael J. Morley  
[mmorley@morleylawfirm.com](mailto:mmorley@morleylawfirm.com)

MJM:tlm

pc: All Counsel of Record