

## Crockford, Konrad S.

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**From:** efilmingmail@tylerhost.net  
**Sent:** Thursday, December 20, 2018 08:28  
**To:** Tiffany Knopik  
**Subject:** Filing Accepted for Case: 08-2018-CV-03299; Public Service Commission vs. Hunter Hanson d/b/a Midwest Grain Trading, et al.; Envelope Number: 3246897



**North Dakota  
Court System**

## Filing Accepted

Envelope Number: 3246897  
Case Number: 08-2018-CV-03299  
Case Style: Public Service Commission vs.  
Hunter Hanson d/b/a Midwest Grain Trading, et  
al.

The filing below was reviewed and has been accepted by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

Filing Details	
<b>Court</b>	Burleigh County - South Central District
<b>Case Number</b>	08-2018-CV-03299
<b>Case Style</b>	Public Service Commission vs. Hunter Hanson d/b/a Midwest Grain Trading, et al.
<b>Date/Time Submitted</b>	12/19/2018 4:31 PM CST
<b>Date/Time Accepted</b>	12/20/2018 8:27 AM CST
<b>Accepted Comments</b>	
<b>Filing Type</b>	Notice
<b>Filing Description</b>	Notice of Application for Appointment as Trustee and for Ex Parte Order, and Notice of Motion to Join Surety as Party Under Rule 3.2
<b>Activity Requested</b>	EFile
<b>Filed By</b>	Mitchell Armstrong
<b>Filing Attorney</b>	Mitchell Armstrong

Document Details	
<b>Lead Document</b>	Notice of Application for Appointment as Trustee and for Ex Parte Order, and Notice of Motion to Join Surety as Party Under Rule 3.2.pdf
<b>Lead Document Page Count</b>	3
<b>File Stamped Copy</b>	<a href="#">View Stamped Document</a>

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

\_\_\_\_\_ )  
Public Service Commission )  
) )  
Petitioner, )  
) )  
vs. )  
) )  
Hunter Hanson )  
d/b/a Midwest Grain Trading )  
) )  
and )  
) )  
State Farm Fire and Casualty Company )  
) )  
Respondents. )  
\_\_\_\_\_ )  
) )  
PSC Case No. GE-18-395 )  
) )  
\_\_\_\_\_ )

CIVIL NO. 08-2018-CV-03299

**NOTICE OF APPLICATION  
FOR APPOINTMENT AS  
TRUSTEE AND FOR *EX PARTE*  
ORDER, AND NOTICE OF  
MOTION TO JOIN SURETY  
AS PARTY UNDER RULE 3.2**

TO: Hunter Hanson d/b/a Midwest Grain Trading, P.O. Box 746 Devils Lake, North Dakota 58301

Kelly Swenseth, Attorney, Swenseth Law Office PLLC, P.O. Box 393 Devils Lake, North Dakota 58301

Tyler Niederwerder, Attorney, Camrud, Maddock, Olson & Larson Ltd. 401 DeMers Avenue, Suite 500, Grand Forks, North Dakota 58206-5849

State Farm Fire and Casualty Company, One State Farm Plaza, Bloomington, Illinois 61710-0001

Jan Leishman, Shafer Commodities, Inc., 131 7th Street, Morden, Manitoba R6M 1S3 Canada

Art Stacey, Attorney for Delmar Commodities Ltd., Thompson Dorfman Sweatman, 1700 242 Hargrave Street, Winnipeg, Manitoba R3C 0V1 Canada

Keith Friesen, Delmar Commodities Ltd., 2 – 915 Navigator Road, Winkler, Manitoba R6W 0L7 Canada

Shawn Madsen, Operations Manager, Southland Pulse, Inc., Box 879 Highway 39 Northwest, Estevan, Saskatchewan S4A 2A7 Canada

Dan Mostad, General Manager, Berthold Farmers Elevator LLC, #1 Main Street South, Berthold, North Dakota 58718

Kim Meyer, Controller, United Quality Cooperative, P.O. Box 128, Parshall, North Dakota 58770-0128

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Christine Maberley, Bridge Agri Partners, Inc., P.O. Box 29010 Highlands, Lethbridge, Alberta, T1J 4X0 Canada

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Stacy Breckenridge, McLean Elevator Company, 7900 Van Buren Street, St. Louis, Missouri 63111

Todd Timm, 1164 Highway 9, Kensal, North Dakota 58455

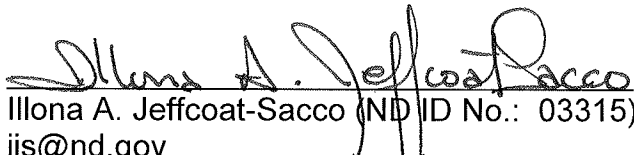
[¶ 1] **PLEASE TAKE NOTICE** that the Public Service Commission respectfully moves the Court for Appointment as Trustee and for *Ex Parte* Order. The Public Service Commission further moves the Court for an order declaring Hunter Hanson d/b/a Midwest Grain Trading, insolvent within the meaning of North Dakota Century Code chapter 60-02.1 and establishing the date of insolvency as a date on or before November 14, 2018, the date the Public Service Commission received the first claim for nonpayment for grain delivered or sold to Hunter Hanson d/b/a Midwest Grain Trading.

[¶ 2] Further, the Public Service Commission moves the Court for an order joining the surety, State Farm Fire and Casualty Company, to the action.

[¶ 3] The application, affidavit and brief in support of the application are attached to this notice and by reference made a part hereof.

[¶ 4] **YOU ARE HEREWITH NOTIFIED** that the attached Application includes a request for appointment as trustee and declaration of insolvency as of a date on or before November 14, 2018, a request for an *Ex Parte* Order under North Dakota Century Code section 60-02.1-29, and joinder of the surety under North Dakota Century Code section 60-02.1-31. The motion to join the surety is submitted to the Court pursuant to Rule 3.2 of the North Dakota Rules of Court and will be decided on briefs unless oral argument is timely requested. The Public Service Commission does not request a hearing at this time. You have fourteen (14) days after the service of the notice and brief to file your response and other supporting papers.

[¶ 5] Bismarck, North Dakota, this 19<sup>th</sup> day of December, 2018.

  
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