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Sent: Thursday, December 20, 2018 08:39
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Subject: Filing Accepted for Case: 35-2018-CV-00088; Public Service Commission vs. Hunter Hanson d/b/a NoDak Grain, et al.; Envelope Number: 3247015



**North Dakota
Court System**

Filing Accepted

Envelope Number: 3247015
Case Number: 35-2018-CV-00088
Case Style: Public Service Commission vs.
Hunter Hanson d/b/a NoDak Grain, et al.

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Filing Details	
Court	Pierce County - Northeast District
Case Number	35-2018-CV-00088
Case Style	Public Service Commission vs. Hunter Hanson d/b/a NoDak Grain, et al.
Date/Time Submitted	12/19/2018 4:52 PM CST
Date/Time Accepted	12/20/2018 8:38 AM CST
Accepted Comments	
Filing Type	Notice
Filing Description	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
Activity Requested	EFile
Filed By	Mitchell Armstrong
Filing Attorney	Mitchell Armstrong

Document Details	
Lead Document	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
Lead Document Page Count	4
File Stamped Copy	View Stamped Document

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North Dakota Court's Information Technology Department 701-328-4218
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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF PIERCE

NORTHEAST JUDICIAL DISTRICT

Public Service Commission

Petitioner,

vs.

Hunter Hanson
d/b/a NoDak Grain

and

CorePointe Insurance Company

and

Philadelphia Indemnity Insurance Company

Respondents.

PSC Case No. GE-18-395

CIVIL NO. 35-2018-CV-00088

**NOTICE OF APPLICATION
FOR APPOINTMENT AS
TRUSTEE AND FOR *EX PARTE*
ORDER, AND NOTICE OF
MOTION TO JOIN SURETIES
AS PARTIES 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

CorePointe Insurance Company, 251 Little Falls Drive, Wilmington, Delaware 19508

Philadelphia Indemnity Insurance Company, One Bala Plaza #100, Bala Cynwyd, Pennsylvania 19004

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

Kent Florhaug, 8285 6th Street SE, Kensal, North Dakota 58455

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Brian Huber, EY Inc., 5866 76th Avenue SE, Jud, North Dakota 58454

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Garrett Novak, 11126 State Highway 32 SE, St. Hilaire, Minnesota 56754

Devin Tuomala, 9671 57th Avenue NE, Perth, North Dakota 58363

Dale Ganskop, 10560 72nd Avenue NW, Flaxton, North Dakota 58737

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 NoDak

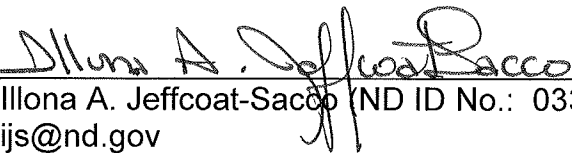
Grain, insolvent within the meaning of North Dakota Century Code chapter 60-04 and establishing the date of insolvency as a date on or before November 14, 2018, the date the Public Service Commission received the first claim for nonpayment for grain delivered or sold to Hunter Hanson d/b/a NoDak Grain.

[¶ 2] Further, the Public Service Commission moves the Court for an order joining the sureties, CorePointe Insurance Company and Philadelphia Indemnity Insurance Company.

[¶ 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 sureties under North Dakota Century Code section 60-02.1-31. The motion to join the sureties 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 19th day of December, 2018.


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