

**PEARSON
CHRISTENSEN, PLLP**

The Legal Advantage



24 North 4th Street
P.O. Box 5758
Grand Forks, ND 58206-5758

PHONE: (701) 775-0521
FAX: (701) 775-0524

Daniel L. Gaustad
dan@grandforkslaw.com

March 11, 2019

Mitch Armstrong
Special Assistant Attorney General
122 E. Broadway Ave.
P.O. Box 460
Bismarck, ND 58502-0460
Via email & U.S. mail –
marmstrong@smithporsborg.com

Illona A. Jeffcoat-Sacco
Special Assistant Attorney General
State Capitol – 12th Floor
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480
Via email & U.S. mail –
ijs@nd.gov

Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480
Via U.S. mail only

Re: Public Service Commission v. Hunter Hanson d/b/a/ NoDak Grain Company
Pierce County District Case No. 35-2018-CV-00088
Public Service Commission v. Hunter Hanson d/b/a Midwest Grain Trading
Burleigh County District Case No. 08-2018-CV-03299

Dear Mr. Armstrong, Ms. Jeffcoat-Sacco and Public Service Commission:

Pursuant to the Notice of Appointment as Trustee and Notice to File Claims Pursuant to N.D.C.C. § 60-04-04 (relating to the Hunter Hanson d/b/a NoDak Grain insolvency proceeding) and the Notice of Appointment as Trustee and Notice to File Claims Pursuant to N.D.C.C. § 60-02.1-32 (relating to the Hunter Hanson d/b/a Midwest Grain Trading insolvency proceeding), I enclose the following:

1. Hunter Hanson d/b/a NoDak Grain insolvency proceeding (Pierce County Case No. 35-2018-CV-00088):
 - *a. Claim of Ryan Spitzer in the amount of \$29,225.13;
 - b. Claim of Prairie Pines, Inc. in the amount of \$63,265.79.
2. Hunter Hanson dba Midwest Grain Trading insolvency proceeding (Burleigh County Case No. 08-2018-CV-03299):
 - *a. Claim of Ryan Spitzer in the amount of \$29,225.13;
 - b. Claim of Prairie Pines, Inc. in the amount of \$63,265.79.

We also intend to file these claims in the respective court proceedings.

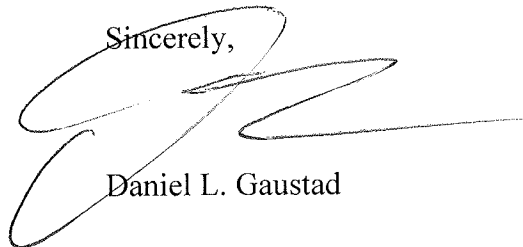
Finally, in response to Mr. Armstrong's February 25, 2019 letter, neither Ryan Spitzer nor Prairie Pines, Inc. received a payment from Hunter Hanson or one of his entities after November 14, 2018.

March 11, 2019

Page 2 of 2

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Gaustad', with a long horizontal flourish extending to the right.

Daniel L. Gaustad

DLG/ral

Encls.

cc: Ryan Spitzer (via email w/encls)
Prairie Pines, Inc (via email w/encls)



GRAIN CLAIM FORM
PUBLIC SERVICE COMMISSION
 SFN 60853 (01/2019)

In accordance with North Dakota Century Code Chapters 60-02, 60-02.1, and 60-04:

Any person with a noncredit-sale receiptholder claim or any person with a credit-sale contract claim shall file the claim with the Public Service Commission. **A claim must be filed within 45 days after the final publication of the "Notice of Appointment as Trustee and Notice to File Claims."**

Any person filing a claim shall include receipts or other documentation sufficient to enable the Commission to determine the validity of the claim. This could include unsatisfied grain receipts, scale tickets, checks, cash contracts, credit-sale contracts, or other memoranda given by the licensee for, or as evidence of, the receipt, storage, or sale of grain.

Unless a claim is filed with the Public Service Commission within the time specified, the Commission is relieved of further duty or action on behalf of the receiptholder or credit-sale contract claimant and the receipt holder or credit-sale contract claimant may be barred from payment for any amount due.

FOR COMMISSION USE ONLY	
PSC Case Number: GE-18-395	
Civil Number:	

CLAIMANT INFORMATION		
Claimant Name (as used on Income tax return) Ryan Spitzer		Telephone Number 701-320-2079
Mailing Address 540 86th Avenue SE		Email Address ryanspitzer@hotmail.com
City Kensal	State ND	ZIP Code 58455

CLAIM AGAINST		
Name of Grain Warehouse or Grain Buyer Hunter Hanson d/b/a NoDak Grain		Telephone Number 701-381-1028
Address P.O. Box 183; 405 4th Street SE		Email Address midwestgraintrading@gmail.com
City Devils Lake	State ND	ZIP Code 58301

Did you make written demand for payment or redelivery if available? No Yes, date of written demand: _____

ADDITIONAL PARTIES WITH AN INTEREST IN THE CLAIM			
List each interested party in this unpaid grain claim. Attach additional pages if necessary.			
Name (as used on income tax return)	Telephone Number		
Mailing Address	City	State	ZIP Code
Email Address	Interest	% of Claim or \$ Amount	
Name (as used on income tax return)	Telephone Number		
Mailing Address	City	State	ZIP Code
Email Address	Interest	% of Claim or \$ Amount	
Name (as used on income tax return)	Telephone Number		
Mailing Address	City	State	ZIP Code
Email Address	Interest	% of Claim or \$ Amount	

CLAIM SUMMARY				
Use one line per commodity. Attach additional pages if necessary.				
Date	Type of Grain	Price per Bushel/CWT	Net Bushel/CWT Indicate Bu. or CWT below	Amount Owed
	See Attached Claim of Ryan Spitzer against	\$ Hunter Hanson	d/b/a NoDak Bu. / CWT	\$ 29,225.13
	Grain	\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
Total Amount of Claim			Bu. / CWT	\$ 29,225.13

Briefly describe your claim using the space below. Please include any of the following: details of your agreement/contract, grain on storage, grain broker involvement, any additional information you wish to add.

See Attached Claim of Ryan Spitzer against Hunter Hanson d/b/a NoDak Grain

Are any offsets owed? No Yes, provide amount and detail.

CLAIM DOCUMENTS	
Attach copies of the following support documents if applicable to your claim:	
<ul style="list-style-type: none"> • Scale Tickets • Warehouse Receipts • Settlement/Assembly Sheets • Purchase Contracts • Credit-Sale Contracts • NSF Checks • Written Demand for Payment or Redelivery sent to Grain Warehouse and/or Grain Buyer • Any additional information you wish to include. 	
Please indicate below if your claim documents are enclosed or if they were previously submitted (if applicable, check both boxes).	
Claim Documents Enclosed <input checked="" type="checkbox"/>	Claim Documents Previously Submitted <input type="checkbox"/>

NOTE: Lien searches will be done. If an active lien is found, any or each lien holder will be included as a payee on the check and a copy of the check will be mailed to the active lien holder(s).

Mail completed form and claim documents to:

Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

I certify under penalty of perjury that the information stated in and attached to this grain claim is true and correct.

Signature of Individual Filing Grain Claim <i>Ryan Spitzer</i>	Date 3-6-19
---	----------------

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF PIERCE

NORTHEAST JUDICIAL DISTRICT

Public Service Commission,

Civil No. 35-2018-CV-00088

Petitioner,

-vs-

**CLAIM OF
RYAN SPITZER**

Hunter Hanson d/b/a NoDak Grain,

and

CorePointe Insurance Company

and

Philadelphia Indemnity Insurance Company

Respondents.

PSC Case No. GE-18-395

[¶1] Ryan Spitzer asserts a claim in the above-entitled proceeding, based upon his quantity of 5,137.49 bushels (bu) or 3,082.49 hundred weight (cwt.)¹ of spring wheat, at a per bushel price based on futures contract for a total of \$29,225.13 (See **Exhibit A**). Based upon information and belief, Ryan Spitzer contends the \$29,225.13 claim is up to, but does not exceed, the market price prevailing on the date the Petitioner Public Service Commission (“PSC”) first received a copy of the written demand required by N.D.C.C. § 60-04-02.

[¶2] Ryan Spitzer submits with this claim a summarizing spreadsheet attached as **Exhibit A**, and copies of receipts and other evidence for said 5,137.49 bushels (bu) or 3,082.49 hundred

¹ The conversion from bushels to hundred weight is 5,137.49 bu multiplied by 60 and the result is then divided by 100 = 3,082.49 cwt.

weight (cwt) of spring wheat, which receipts and other evidence are attached hereto as **Exhibit**

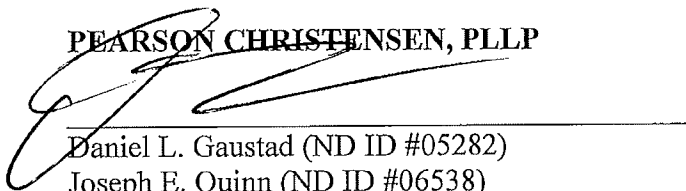
B.

¶3 Based upon information and belief, the PSC obtained copies of documents within the files and in the possession of Respondent Hunter Hanson d/b/a NoDak relating to Ryan Spitzer's 5,137.49 bushels (bu) or 3,082.49 hundred weight (cwt) of spring wheat.

¶4 Based upon information and belief, it appears Hunter Hanson d/b/a NoDak Grain intermingled and interrelated its business operations with Hunter Hanson d/b/a Midwest Grain Trading as a common and singular business enterprise. Accordingly, Ryan Spitzer is submitting this same claim in the Hunter Hanson d/b/a Midwest Grain Trading insolvency proceeding, being Burleigh County, North Dakota District Court Case No. 08-2018-CV-03299.

¶5 Dated this 11th day of March, 2019.

PEARSON CHRISTENSEN, PLLP


Daniel L. Gaustad (ND ID #05282)

Joseph E. Quinn (ND ID #06538)

Attorneys at Law

24 North 4th Street

P. O. Box 5758

Grand Forks, ND 58206-5758

Phone: 701-775-0521

Facsimile: 701-775-0524

dan@grandforkslaw.com

jquinn@grandforkslaw.com

Attorneys for Ryan Spitzer

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STATE OF NORTH DAKOTA)
COUNTY OF Stutsman) ss. VERIFICATION

[¶6] Ryan Spitzer, being duly sworn upon oath, deposes and states that I have read the above Claim and to the best of my knowledge, believe the contents to be true and correct.

DATED this 6th day of March, 2019.

Ryan Spitzer
RYAN SPITZER

Subscribed and sworn to before me by Ryan Spitzer on this 6th day of March, 2019.

Laurie Snow
Notary Public for the State of North Dakota

LAURIE SNOW
Notary Public
State of North Dakota
My Commission Expires March 7, 2019

Ryan Spitzer
Exhibit A - Summarizing Spreadsheet

Item #	Description	Date	Spring Wheat in Bushels	Spring Wheat Converted to CWT See Note 1	Price / bu	Total Price / Total Claim
1	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 175993	9/10/2018	1,050.91	630.55	\$5.54	\$5,822.04
2	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176218	9/14/2018	934.33	560.60	\$5.74	\$5,363.05
3	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176078	9/11/2018	1,019.23	611.54	\$5.49	\$5,595.57
4	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176158	9/12/2018	1,035.56	621.34	\$6.04	\$6,254.78
5	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176190	9/13/2018	1,097.46	658.48	\$5.64	\$6,189.67
	Totals		5,137.49	3,082.49		\$29,225.13
	Note 1: Bushels are converted to CWT by following formula: (Number bushels x 60) / 100 = number of cwt					

Exhibit B

Trade Confirmation #21277

East Central Grain Marketing Inc.
13033 Ridgedale Dr, PMB 165
Minnetonka MN 55305
(952) 476-0127

Contract Date: 5/14/18

Seller: Ryan Spitzer
540 86th Ave SE
Kensal, ND 58455
701-320-2079
ryanspitzer@hotmail.com

Buyer: Midwest Grain Trading
313 5th Ave NE
Devils Lake, ND 58301
Chris - 701-381-1028
midwestgraintrading@gmail.com

Quantity: 10,000 bu

Commodity: Milling Quality - # 1 Hard Red Spring Wheat
Protein: 14 %

Shipment: Aug 1, 2018 - Sep 30, 2018

Origin: Kensal, ND 58455

Weights: Destination

Grades: Destination - PRO SCALES: +10 a 1/5 to 16.0, -5 a 1/5 to 13%

Price Basis: Origin

Price Paid To Seller: -\$0.39 bu Sep 2018 futures (Contract Price)

Brokerage to ECGM Inc.: \$0.04 bu

Seller's Net: -\$0.39 bu - \$0.04 bu ECGM Inc. = -\$0.43 bu

Pricing: Seller will initiate pricing on or before the close of the day
before first notice day

Governing Contract: National Feed and Grain Association

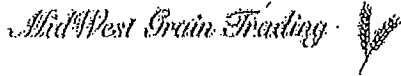
Payment: Per Agreement

Discount Schedule: Destination

Advise immediately if terms are not in accordance with your understanding. ECGM Inc. acts as a broker only and assumes no responsibility for fulfillment of contract.

Code: P125T

Exhibit B



Midwest Grain Trading

Estimate

Estimate No: 210
Date: 09/25/2018
For: Ryan Spitzer
540 86th Ave SE
Kensal, ND, 58455 /10,000bu #21277

P.O. Box 746
Devils Lake, ND 58301
midwestgraintrading@gmail.com
midwestgraintrading.com
701-381-1022

Description	Quantity	Rate	Amount
Spring Wheat T-175993	1,050.91	\$5.54	\$5,822.04
Spring Wheat T-176218	934.33	\$5.74	\$5,363.05
Spring Wheat T-176078	1,019.23	\$5.49	\$5,595.57
Spring Wheat T-176158	1,035.56	\$6.04	\$6,254.78
Spring Wheat T-176190	1,097.46	\$5.64	\$6,189.67
Spring Wheat 175993	1,050.91	\$5.54	\$5,822.04
Spring Wheat 176218	934.33	\$5.74	\$5,363.05
Spring Wheat 176078	1,019.23	\$5.49	\$5,595.57
Spring Wheat 176158	1,035.56	\$6.04	\$6,254.78
Spring Wheat 176190	1,097.46	\$5.64	\$6,189.67
	<i>10,273</i>		
		Subtotal	\$58,450.22
		Total	\$58,450.22
		Withholding Tax 0.015%	\$8.77
		Total	\$58,441.45

Exhibit B

Ryan S.

Osnabrock Farmers Co-op Elevator Co.
103 Dakota St.
Nekoma, ND 58365
Main Office: (701) 949-2722

INBOUND

INSPECTION AND WEIGHT CERTIFICATE

License#:	Commodity: Spring Wheat (SPWHT)	No. - 175993	09/10/2018
Received From: Midwest Grain Trading	Pit Location:	Truck: J&J HARVESTING 316	
Box 188		Weighter:	
Leeds, ND 58346		15:05:59 GROSS Lbs:	93840
Remarks:		15:12:41 TARE Lbs:	30020
		NET Lbs:	63820
		Gross BU:	1063.67
		Shrink BU:	0.00
		Dockage BU:	12.76
		Net BU:	1050.91

DOC	MST	DMG
1.2	12.7	0.0
TW	PRO	
61.6	14.0	

Splits	% Gross	Application Type
Midwest Grain Trading	100.00 1,063.67	Priced

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
(Inspection Not Valid for Purposes of the US Grain Standards Act)

CERTIFICATION: This certificate is issued by an inspection/weighter licensed under the United States Warehouse Act and regulations thereunder to the Osnabrock Farmers Co-op Elevator, Osnabrock, ND Fed Lic No. 3-9580

Ryan Spitzer

Exhibit B

Transfer to Wyoming

Osnabrock Farmers Co-op Elevator Co.
103 Dakota St.
Nokoma, ND 58365
Main Office (701) 949-2722

INBOUND

INSPECTION AND WEIGHT CERTIFICATE

Lot/sect#:	Commodity: Spring Wheat (SPWHT)	No. - 176218	09/14/2018
Received From: Midwest Grain Trading	Pjt Location:	Truck: J&J HARVESTING #318.	
Box 183.		Weighter:	
Leeds, ND 58346		12:53:15 GROSS Lbs:	89260
Remarks:		13:04:37 TARE Lbs:	31880
		NET Lbs:	57380
DQC MST DMG		Gross BU:	966.33
2.3 12.1 0.0		Shrink BU:	0.00
TW PRO		Package BU:	22.00
60.2 14.4		Net BU:	934.33
Spills	% Gross	Application Type	
Midwest Grain Trading	100.00 956.33	Priced	

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
(Inspection Not Valid for Purposes of the US Grain Standards Act)
CERTIFICATION: This certificate is issued by an inspection/weighter licensed under the United States Warehouse Act, and regulations thereunder for the Osnabrock Farmers Co-op Elevator, Osnabrock, ND Fed. Lic. No. 3-9561

Ryan Spitzell

Exhibit B

Ryan S.

Osnabrock Farmers Co-op Elevator Co.

INBOUND

103 Dakota St.
Nokoma, ND 58355
Main Office: (701) 949-2722

INSPECTION AND WEIGHT CERTIFICATE

License#:	Commodity: Spring Wheat (SPWHT)	No. - 176078	09/11/2018
Received From: Midwest Grain Trading	Pit Location: North Pit	Truck: J&J HARVESTING 316	
Box 183		Weight:	
Leeds, ND 58346		16:42:05 GROSS Lbs:	95380
		16:50:08 TARE Lbs:	30640
Remarks:		NET Lbs:	64740
21536		Gross BU:	1079.00
.DOC MST DMG		Shrink BU:	41.43
1.7 15.4 0.0		Dockage BU:	18.34
TW PRO		Net BU:	1019.23
59.9 13.9			
Spills	% Gross	Application Type	
Midwest Grain Trading:	100.00 1,079.00	Priced	

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate

(Inspection Not Valid for Purposes of the US Grain Standards Act)

CERTIFICATION: This certificate is issued by an Inspection/Weight Licenced under the United States Warehouse Act and regulations thereunder for the Osnabrock Farmers Coop Elevator, Osnabrock, ND Fed Lic No. 3-9560

Ryan S. Spitzer

Exhibit B

Ryan S.

Osnabrock Farmers Co-op Elevator Co.
 103 Dakota St.
 Nekoma, ND 58865
 Main Office (701) 949-2722

INBOUND

INSPECTION AND WEIGHT CERTIFICATE

License#:

Commodity: Spring Wheat (SPWHT)

No. - 176158 09/12/2018

Received From: Midwest Grain Trading
 Box 183
 Leeds, ND 58346

Pit Location:

Truck: J&J HARVESTING 316
 Weigher:

Remarks:

15:22:12 GROSS Lbs: 95840
 15:29:34 TARE Lbs: 30820
 NET Lbs: 65020
 Gross BU: 1083.67
 Shrink BU: .29.69
 Dockage BU: 18.42
 Net BU: 1036.56

DOC	MST	DMG
1.7	14.4	0.0
TW	PRO	
59.0	15.0	

Splits
 Midwest Grain Trading

% Gross
 100.00 1,083.67

Application Type
 Priced

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
 (Inspection Not Valid for Purposes of the US Grain Standards Act)
 CERTIFICATION: This certificate is issued by an inspection/weigher licensed under the United States Warehouse Act and regulations thereunder for the Osnabrock Farmers Coop Elevator, Osnabrock, ND Fed Lic No. 3-8660

Ryan Spitzer

Exhibit B

Ryan S.

Osnabrock Farmers Co-op Elevator Co.

INBOUND

103 Dakota St.
Nekoma, ND 58355
Main Office (701) 949-2722

INSPECTION AND WEIGHT CERTIFICATE

License#:	Commodity: Spring Wheat (SPWHT)	No. - 176190	09/13/2018
Received From: Midwest Grain Trading	Plf. Location:	Truck: J&J HARVESTING 316	Wgher:
Box 183		13:20:57 GROSS Lbs:	97500
Leeds, ND 58346		13:36:11 TARE Lbs:	30240
Remarks:		NET Lbs:	67260
		Gross BU:	1121.00
		Shrink BU:	0.00
		Dockage BU:	23.54
		Net BU:	1097.46

DOC	MST	DMG
2.1	11.9	0.0
TW	PRO	
60.5	14.3	

Splits	% Gross	Application Type
Midwest Grain Trading	100.00 1,121.00	Piled

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
(Inspection Not Valid for Purposes of the US Grain Standards Act)
CERTIFICATION: This certificate is issued by an inspection/wigher licensed under the United States Warehouse Act and regulations thereunder for the Osnabrock Farmers Co-op Elevator, Osnabrock, ND. Fed Lic No. 3-9560

Ryan Spitzel

Exhibit B



Ryan Spitzer
Cassie Spitzer
Farm Account
540 86th Ave SE
Kensal ND 58455-9502

Date: 11/19/18

Account #: XXXX0470

Return Items Charged To Your Account

The following items have been returned and are being charged back to your account:

<u>Payor</u>	<u>Reason</u>	<u>Amount</u>
NODAK GRAIN	STOP PAYMENT	58441.45

TOTAL ITEMS CHARGED BACK TO YOUR ACCOUNT \$58441.45

PLEASE CONTACT US AT 1-800-908-BANK (2265) WITH ANY QUESTIONS.



GRAIN CLAIM FORM
PUBLIC SERVICE COMMISSION
 SFN 60853 (01/2019)

In accordance with North Dakota Century Code Chapters 60-02, 60-02.1, and 60-04:

Any person with a noncredit-sale receipt holder claim or any person with a credit-sale contract claim shall file the claim with the Public Service Commission. **A claim must be filed within 45 days after the final publication of the "Notice of Appointment as Trustee and Notice to File Claims."**

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FOR COMMISSION USE ONLY

PSC Case Number:

GE-18-395

Civil Number:

CLAIMANT INFORMATION

Claimant Name (as used on Income tax return) Ryan Spitzer		Telephone Number 701-320-2079	
Mailing Address 540 86th Avenue SE		Email Address ryanspitzer@hotmail.com	
City Kensal	State ND	ZIP Code 58455	

CLAIM AGAINST

Name of Grain Warehouse or Grain Buyer Hunter Hanson d/b/a Midwest Grain Trading		Telephone Number 701-381-1028	
Address P.O. Box 746		Email Address midwestgraintrading@gmail.com	
City Devils Lake	State ND	ZIP Code 58301	

Did you make written demand for payment or redelivery if available? No Yes, date of written demand: _____

ADDITIONAL PARTIES WITH AN INTEREST IN THE CLAIM

List each interested party in this unpaid grain claim. Attach additional pages if necessary.

Name (as used on income tax return)	Telephone Number		
Mailing Address	City	State	ZIP Code
Email Address	Interest	% of Claim or \$ Amount	
Name (as used on income tax return)	Telephone Number		
Mailing Address	City	State	ZIP Code
Email Address	Interest	% of Claim or \$ Amount	
Name (as used on income tax return)	Telephone Number		
Mailing Address	City	State	ZIP Code
Email Address	Interest	% of Claim or \$ Amount	

CLAIM SUMMARY				
Use one line per commodity. Attach additional pages if necessary.				
Date	Type of Grain	Price per Bushel/CWT	Net Bushel/CWT Indicate Bu. or CWT below	Amount Owed
See Attached Claim of Ryan Spitzer against		\$	Hunter Hanson d/b/a Midwest Bu. / CWT	\$ 29,225.13
Grain Trading		\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
Total Amount of Claim			Bu. / CWT	\$ 29,225.13

Briefly describe your claim using the space below. Please include any of the following: details of your agreement/contract, grain on storage, grain broker involvement, any additional information you wish to add.

See Attached Claim of Ryan Spitzer against Hunter Hanson d/b/a Midwest Grain Trading

Are any offsets owed? No Yes, provide amount and detail.

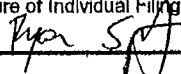
CLAIM DOCUMENTS	
Attach copies of the following support documents if applicable to your claim:	
<ul style="list-style-type: none"> • Scale Tickets • Warehouse Receipts • Settlement/Assembly Sheets • Purchase Contracts • Credit-Sale Contracts • NSF Checks • Written Demand for Payment or Redelivery sent to Grain Warehouse and/or Grain Buyer • Any additional information you wish to include. 	
Please indicate below if your claim documents are enclosed or if they were previously submitted (if applicable, check both boxes).	
Claim Documents Enclosed <input checked="" type="checkbox"/>	Claim Documents Previously Submitted <input type="checkbox"/>

NOTE: Lien searches will be done. If an active lien is found, any or each lien holder will be included as a payee on the check and a copy of the check will be mailed to the active lien holder(s).

Mail completed form and claim documents to:

Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

I certify under penalty of perjury that the information stated in and attached to this grain claim is true and correct.

Signature of Individual Filing Grain Claim 	Date 3-6-19
---	----------------

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.

Civil No. 08-2018-CV-03299

**CLAIM OF
RYAN SPITZER**

PSC Case No. GE-18-395

[¶1] Ryan Spitzer asserts a claim in the above-entitled proceeding, based upon his quantity of 5,137.49 bushels (bu) or 3,082.49 hundred weight (cwt.)¹ of spring wheat, at a per bushel price based on futures contract for a total of \$29,225.13 (See **Exhibit A**).

[¶2] Ryan Spitzer submits with this claim a summarizing spreadsheet attached as **Exhibit A**, and copies of receipts and other evidence for said 5,137.49 bushels (bu) or 3,082.49 hundred weight (cwt) of spring wheat, which receipts and other evidence are attached hereto as **Exhibit B**.

[¶3] Based upon information and belief, the Petitioner Public Service Commission obtained copies of documents within the files and in the possession of Respondent Hunter Hanson d/b/a

¹ The conversion from bushels to hundred weight is 5,137.49 bu multiplied by 60 and the result is then divided by 100 = 3,082.49 cwt.

Midwest Grain Trading relating to Ryan Spitzer's 5,137.49 bushels (bu) or 3,082.49 hundred weight (cwt) of spring wheat.

[¶4] Based upon information and belief, it appears Hunter Hanson d/b/a Midwest Grain Trading intermingled and interrelated its business operations with Hunter Hanson d/b/a NoDak Grain as a common and singular business enterprise. Accordingly, Ryan Spitzer is submitting this same claim in the Hunter Hanson d/b/a NoDak Grain insolvency proceeding, being Pierce County, North Dakota District Court Case No. 35-2018-CV-00088.

[¶5] Dated this 11th day of March, 2019.

~~PEARSON CHRISTENSEN, PLLP~~

Daniel L. Gaustad (ND ID #05282)

Joseph E. Quinn (ND ID #06538)

Attorneys at Law

24 North 4th Street

P. O. Box 5758

Grand Forks, ND 58206-5758

Phone: 701-775-0521

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Attorneys for Ryan Spitzer

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STATE OF NORTH DAKOTA)
COUNTY OF Stutsman) ss. VERIFICATION

[¶6] Ryan Spitzer, being duly sworn upon oath, deposes and states that I have read the above Claim and to the best of my knowledge, believe the contents to be true and correct.

DATED this 6th day of March, 2019.

Ryan Spitzer
RYAN SPITZER

Subscribed and sworn to before me by Ryan Spitzer on this 6th day of March, 2019.

Laurie Snow
Notary Public for the State of North Dakota

LAURIE SNOW
Notary Public
State of North Dakota
My Commission Expires March 7, 2019

Ryan Spitzer
Exhibit A - Summarizing Spreadsheet

Item #	Description	Date	Spring Wheat in Bushels	Spring Wheat Converted to CWT	Price / bu	Total Price /
				See Note 1		Total Claim
1	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 175993	9/10/2018	1,050.91	630.55	\$5.54	\$5,822.04
2	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176218	9/14/2018	934.33	560.60	\$5.74	\$5,363.05
3	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176078	9/11/2018	1,019.23	611.54	\$5.49	\$5,595.57
4	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176158	9/12/2018	1,035.56	621.34	\$6.04	\$6,254.78
5	Osnabrock Farmers Co-Op Elevator Co Inspection and Weight Certificate 176190	9/13/2018	1,097.46	658.48	\$5.64	\$6,189.67
	Totals		5,137.49	3,082.49		\$29,225.13
	Note 1: Bushels are converted to CWT by following formula:					
	(Number bushels x 60) / 100 = number of cwt					

Exhibit B

Trade Confirmation #21277

East Central Grain Marketing Inc.
13033 Ridgedale Dr, PMB 165
Minnetonka MN 55305
(952) 476-0127

Contract Date: 5/14/18

Seller: Ryan Spitzer
540 86th Ave SE
Kensal, ND 58455
701-320-2079
ryanspitzer@hotmail.com

Buyer: Midwest Grain Trading
313 5th Ave NE
Devils Lake, ND 58301
Chris - 701-381-1028
midwestgraintrading@gmail.com

Quantity: 10,000 bu

Commodity: Milling Quality - # 1 Hard Red Spring Wheat
Protein: 14 %

Shipment: Aug 1, 2018 - Sep 30, 2018

Origin: Kensal, ND 58455

Weights: Destination

Grades: Destination - PRO SCALES: +10 a 1/5 to 16.0, -5 a 1/5 to 13%

Price Basis: Origin

Price Paid To Seller: -\$0.39 bu Sep 2018 futures (Contract Price)

Brokerage to ECGM Inc.: \$0.04 bu

Seller's Net: -\$0.39 bu - \$0.04 bu ECGM Inc. = -\$0.43 bu

Pricing: Seller will initiate pricing on or before the close of the day
before first notice day

Governing Contract: National Feed and Grain Association

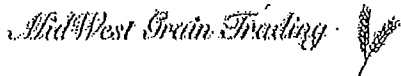
Payment: Per Agreement

Discount Schedule: Destination

Advise immediately if terms are not in accordance with your understanding. ECGM Inc. acts as a broker only and assumes no responsibility for fulfillment of contract.

Code: P125T

Exhibit B



Midwest Grain Trading

Estimate

Estimate No: 210
Date: 09/25/2018
For: Ryan Spitzer
540 86th Ave SE
Kensal, ND, 58455 /10,000bu #21277

P.O. Box 746
Devils Lake, ND 58301
midwestgraintrading@gmail.com
midwestgraintrading.com
701-381-1022

Description	Quantity	Rate	Amount
Spring Wheat T-175993	1,050.91	\$5.54	\$5,822.04
Spring Wheat T-176218	934.33	\$5.74	\$5,363.05
Spring Wheat T-176078	1,019.23	\$5.49	\$5,595.57
Spring Wheat T-176158	1,035.56	\$6.04	\$6,254.78
Spring Wheat T-176190	1,097.46	\$5.64	\$6,189.67
Spring Wheat 175993	1,050.91	\$5.54	\$5,822.04
Spring Wheat 176218	934.33	\$5.74	\$5,363.05
Spring Wheat 176078	1,019.23	\$5.49	\$5,595.57
Spring Wheat 176158	1,035.56	\$6.04	\$6,254.78
Spring Wheat 176190	1,097.46	\$5.64	\$6,189.67
		Subtotal	\$58,450.22
		Total	\$58,450.22
		Withholding Tax 0.015%	\$8.77
		Total	\$58,441.45

10,278

Exhibit B

Ryan S.

Osnabrock Farmers Co-op Elevator Co.
103 Dakota St.
Nokoma, ND 58355
Main Office: (701) 949-2722

INBOUND

INSPECTION AND WEIGHT CERTIFICATE

License#:	Commodity: Spring Wheat (SPWHT)	No. - 175993	09/10/2018
Received From: Midwest Grain Trading	Pit Location:	Truck: J&J HARVESTING 316	
Box 188		Wigher:	
Leeds, ND 58346		15:05:59 GROSS Lbs:	93840
Remarks:		15:12:41 TARE Lbs:	30020
		NET Lbs:	63820
		Gross BU:	1063.67
		Shrink BU:	0.00
		Dockage BU:	12.76
		Net BU:	1050.91

DOC	MST	DMG
1.2	12.7	0.0
TW	PRO	
61.6	14.0	

Splits	% Gross	Application Type
Midwest Grain Trading	100.00 1,063.67	Priced

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
 (Inspection Not Valid for Purposes of the US Grain Standards Act)
 CERTIFICATION: This certificate is issued by an inspection/weigher licensed under the United States Warehouse Act, and regulations thereunder to the Osnabrock Farmers Co-op Elevator, Osnabrock, ND Fed. Lic. No. 3-9560

Ryan Spitzer

Exhibit B

Transfer to Wekoma

Osnabrock Farmers Co-op Elevator Co.
103 Dakota St.
Nokoma, ND 58365
Main Office (701) 949-2722

INBOUND

INSPECTION AND WEIGHT CERTIFICATE

License#:	Commodity: Spring Wheat (SPWHT)	No. - 176218	09/14/2018
Received From: Midwest Grain Trading	Pjt Location:	Truck: J&J HARVESTING #318	
Box 183		Weight:	
Leeds, ND 58346		12:53:15 GROSS Lbs:	89260

Remarks:

13:04:37 TARE Lbs:	31880
NET Lbs:	57380
Gross BU:	956.33
Shrink BU:	0.00
Dockage BU:	22.00
Net BU:	934.33

DDC	MST	DMG
2.3	12.1	0.0
TW	PRO	
60.2	14.4	

Splits	%	Gross	Application Type
Midwest Grain Trading	100.00	956.33	Priced

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
(Inspection Not Valid for Purposes of the US Grain Standards Act)
CERTIFICATION: This certificate is issued by an inspection/weighter licensed under the United States Warehouse Act, and regulations thereunder for the Osnabrock Farmers Co-op Elevator, Osnabrock, ND Fed. Lic. No. 3-9560

Ragan Spitzer

Exhibit B

Ryder S.

Osnabrock Farmers Co-op Elevator Co.

INBOUND

103 Dakota St.
Nokoma, ND 58355
Main Office: (701) 949-2722

INSPECTION AND WEIGHT CERTIFICATE

License#:	Commodity: Spring Wheat (SPWHT)	No. - 176078	09/11/2018
Received From: Midwest Grain Trading	Pit Location: North Pit	Truck: J&J HARVESTING 316	
Box 183		Weighter:	
Leeds, ND 58346		16:42:05 GROSS Lbs:	95380
		16:50:08 TARE Lbs:	30640
Remarks:		NET Lbs:	64740
21536		Gross BU:	1079.00
.DQC MST DMG		Shrink BU:	41.43
1.7 15.4 0.0		Package BU:	18.34
TW PRO		Net BU:	1019.23
59.9 13.9			

Spills	% Gross	Application Type
Midwest Grain Trading:	100.00 1,079.00	Priced

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
 (Inspection Not Valid for Purposes of the US Grain Standards Act)
 CERTIFICATION: This certificate is issued by an Inspection/Weighter licensed under the United States Warehouse Act and regulations thereunder for the Osnabrock Farmers Co-op Elevator, Osnabrock, ND Fed Lic No. 3-9660

Ryder S. Priced

Exhibit B

Ryan S.

Osnabrook Farmers Co-op Elevator Co.
 103 Dakota St.
 Nekoma, ND 58865
 Main Office (701) 949-2722

INBOUND

INSPECTION AND WEIGHT CERTIFICATE

License#: _____ Commodity: Spring Wheat (SPWHT)
 Received From: Midwest Grain Trading Pfl Location:
 Box 1B3
 Leeds, ND 58346

No. - 176158 09/12/2018
 Truck: J&J HARVESTING 316
 Weigher:

Remarks:

15:22:12 GROSS Lbs: 95840
 15:29:34 TARE Lbs: 30820
 NET Lbs: 65020
 Gross BU: 1083.67
 Shrink BU: .29.69
 Dookage BU: 18.42
 Net BU: 1036.56

DOC	MST	DMG
1.7	14.4	0.0
TW	PRO	
59.0	15.0	

Splits	%	Gross	Application Type
Midwest Grain Trading	100.00	1,083.67	Priced

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
 (Inspection Not Valid for Purposes of the US Grain Standards Act)
 CERTIFICATION: This certificate is issued by an inspection/weigher licensed under the United States Warehouse Act and regulations thereunder for the Osnabrook
 Farmers Coop Elevator, Osnabrook, ND Fed Lic No. 3-8560

Ryan Spitzer

Exhibit B

Ryan S.

Osnabrock Farmers Co-op Elevator Co.
103 Dakota St.
Nokoma, ND 58355
Main Office (701) 949-2722

INBOUND

INSPECTION AND WEIGHT CERTIFICATE

License#:	Commodity: Spring Wheat (SPWHT)	No. - 176190	09/13/2018
Received From: Midwest Grain Trading Box 183 Leeds, ND 58346	Plt. Location:	Truck: J&J HARVESTING 316 Weigher: 13:20:57 GROSS Lbs:	97500
Remarks:		13:36:11 TARE Lbs:	30240
		NET Lbs:	67260
		Gross BU:	1121.00
		Shrink BU:	0.00
		Dockage BU:	23.54
		Net BU:	1097.46

DOC	MST	DMG
2.1	11.9	0.0
TW	PRO	
60.6	14.3	

Splits	% Gross	Application Type
Midwest Grain Trading	100.00 1,121.00	Priced

UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
(Inspection Not Valid for Purposes of the US Grain Standards Act)
CERTIFICATION This certificate is issued by an Inspector/Weigher licensed under the United States Warehouse Act and regulations thereunder for the Osnabrock Farmers Co-op Elevator, Osnabrock, ND. Fed Lic No: 3-8560

Ryan Spitzel

Exhibit B



Ryan Spitzer
Cassie Spitzer
Farm Account
540 86th Ave SE
Kensal ND 58455-9502

Date: 11/19/18

Account #: XXXX0470

Return Items Charged To Your Account

The following items have been returned and are being charged back to your account:

<u>Payor</u>	<u>Reason</u>	<u>Amount</u>
NODAK GRAIN	STOP PAYMENT	58441.45

TOTAL ITEMS CHARGED BACK TO YOUR ACCOUNT \$58441.45

PLEASE CONTACT US AT 1-800-908-BANK (2265) WITH ANY QUESTIONS.

Exhibit B

096010415
11/14/2018
4885768190

This is a LEGAL COPY of your check. You can use it the same way you would use the original check.

RETURN REASON-C
STOP PAYMENT

096010415
11/14/2018
4885768190

STOP PAYMENT


NODAK GRAIN
2373 65 1/2 ST NE
RUGBY, ND 58368
PH: 701-662-1022

1049
TI-78712913

DATE 11-2-18

PAY TO THE ORDER OF Royal Spitzer \$ 58,441.45

Fifty eight thousand four hundred forty one and 45/100 DOLLARS

 **North Star**
Security Features
Check the back

MEMO Private Person

*1049

44 [REDACTED] 0000 [REDACTED] *1049 #0009844115*