

**Crockford, Konrad S.**

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**From:** efilngmail@tylerhost.net  
**Sent:** Wednesday, March 13, 2019 16:39  
**To:** Tiffany Knopik  
**Subject:** Notification of Service for Case: 35-2018-CV-00088, Public Service Commission vs. Hunter Hanson d/b/a NoDak Grain, et al. for filing Civil Filing, Envelope Number: 3341764



**North Dakota  
Court System**

## Notification of Service

Case Number: 35-2018-CV-00088  
Envelope Number: 3341764  
Case Style: Public Service Commission vs. Hunter Hanson d/b/a NoDak Grain, et al.

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Document Details	
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Filing Details	
<b>Case Number</b>	35-2018-CV-00088
<b>Case Style</b>	Public Service Commission vs. Hunter Hanson d/b/a NoDak Grain, et al.
<b>Date/Time Submitted</b>	3/13/2019 4:36 PM CST
<b>Filing Type</b>	Civil Filing
<b>Filing Description</b>	Claim of Prairie Pines, Inc. by Daniel Gaustad
<b>Filed By</b>	RAQUEL LINDSETH
<b>Service Contacts</b>	Public Service Commission: Mitchell Armstrong (marmstrong@smithporsborg.com) Tiffany Knopik (tknopik@smithporsborg.com) Illona Jeffcoat-Sacco (ijs@nd.gov) April Heinz (aheinz@smithporsborg.com) Anna Heinen (aheinen@smithporsborg.com) John Hamre (jghamre@nd.gov)

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	Erich Grant (egrant@mcgeelaw.com)

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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.

Civil No. 35-2018-CV-00088

**CLAIM OF  
PRAIRIE PINES, INC.**

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PSC Case No. GE-18-395

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¶1 Prairie Pines, Inc. asserts a claim in the above-entitled proceeding, based upon its quantity of 9,037.97 bushels (bu) or 5,422.78 hundred weight (cwt.)<sup>1</sup> of #2 yellow peas, at a price of \$7.00 per bu based on the terms of the contract, for a total of \$63,265.79 (9,037.97 bu. x \$7.00/bu) – See **Exhibit A**. No deduction for \$0.15 brokerage fee is warranted because Prairie Pines, Inc. received an invoice and paid such amount directly to the broker by check. Based upon information and belief, Prairie Pines, Inc. contends the \$7.00 per bu contract price was 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.

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<sup>1</sup> The conversion from bushels to hundred weight is 9,037.97 bu multiplied by 60 and the result is then divided by 100 = 5,422.78 cwt.

[¶2] Prairie Pines, Inc. submits with this claim a summarizing spreadsheet attached as **Exhibit A**, and copies of receipts and other evidence for said 9,037.97 bushels (bu) or 5,422.78 hundred weight (cwt) of #2 yellow peas, 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 Prairie Pines, Inc.'s 9,037.97 bushels (bu) or 5,422.78 hundred weight (cwt) of #2 yellow peas.

[¶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, Prairie Pines, Inc. 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 11<sup>th</sup> day of March, 2019.

**PEARSON CHRISTENSEN, PLLP**

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Joseph E. Quinn (ND ID #06538)

Attorneys at Law

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Attorneys for Prairie Pines, Inc.

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

[¶6] Bill Spitzer, as the President of Prairie Pines, Inc., 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 1<sup>st</sup> day of March, 2019.

**PRAIRIE PINES, INC.**

*Bill Spitzer*  
By: BILL SPITZER  
Its: President

Subscribed and sworn to before me by Bill Spitzer as the President of Prairie Pines, Inc. on this 1<sup>st</sup> 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



**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."**

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 receipt holder or credit-sale contract claimant and the receipt holder or credit-sale contract claimant may be barred from payment for any amount due.

<b>FOR COMMISSION USE ONLY</b>	
PSC Case Number:	
Civil Number:	

CLAIMANT INFORMATION		
Claimant Name (as used on Income tax return) Prairie Pines, Inc.		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 701-381-1022
Address P.O. Box 183 ; 405 4th Street SE		Email Address hunter.midwestgraintrading@gmail.com
City Leeds	State ND	ZIP Code 58346

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 Prairie Pines, Inc. against Hunter Hanson d/b/a	\$	Bu. / CWT	\$ 63,265.79
	NoDak Grain	\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
<b>Total Amount of Claim</b>			Bu. / CWT	\$ 63,265.79

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 Prairie Pines, Inc. 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:

- 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

Claim Documents Previously Submitted

**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>Prairie Pines Inc. by Bob Peter Pres</i>	Date <i>3-6-19</i>
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