

Crockford, Konrad S.

From: efilmingmail@tylerhost.net
Sent: Wednesday, March 13, 2019 16:46
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.

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

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

	Murray Pfau:
	Erich Grant (egrant@mcgeelaw.com)

This link is active for 30 days. If the link above is not accessible, copy this URL into your browser's address bar to view the document:
https://northdakota.tylerhost.net/ViewServiceDocuments.aspx?ADMIN=0&SID=29027a5b-98ea-4749-bb05-a1210fb6eb04

For technical assistance, contact your service provider or
North Dakota Court's Information Technology Department 701-328-4218
Please do not reply to this email. It was automatically generated.

STATE OF NORTH DAKOTA
COUNTY OF PIERCE

IN DISTRICT COURT
NORTHEAST JUDICIAL DISTRICT

Public Service Commission,
Petitioner,

Civil No. 35-2018-CV-00088

-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.

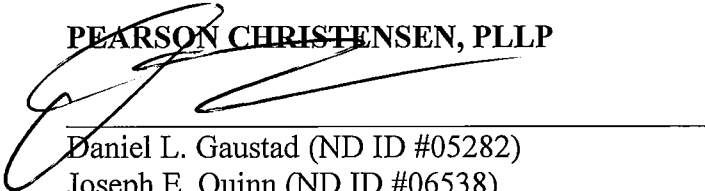
weight (cwt) of spring wheat, which receipts and other evidence are attached hereto as **Exhibit B**.

[¶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

[balance of page intentionally left blank]

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



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.

FOR COMMISSION USE ONLY	
PSC Case Number:	
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:

- 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>Ryan Spitzer</i>	Date 3-6-19
---	----------------