



**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:  <b>GE-18-395</b>	
Civil Number:	

CLAIMANT INFORMATION		
Claimant Name (as used on income tax return) <b>DELMAR COMMODITIES LTD.</b>	Telephone Number <b>(204) 934 2537</b>	
Mailing Address <b>2-915 NAVIGATOR WAY</b>	Email Address <b>ajs@tdslaw.com</b>	
City <b>WINKLER</b>	State <b>MANITOBA</b>	ZIP Code <b>R6W 0L7</b>

CLAIM AGAINST		
Name of Grain Warehouse or Grain Buyer <b>HUNTER HANSON dba MIDWEST GRAIN TRADING</b>	Telephone Number	
Address <b>P.O. Box 183</b>	Email Address	
City <b>LEEDS</b>	State <b>N. D.</b>	ZIP Code <b>58346</b>

Did you make written demand for payment or redelivery if available?  No  Yes, date of written demand: **NOV 16, 2018**

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	
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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
	Yellow PEAS	\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
		\$	Bu. / CWT	\$
Total Amount of Claim			Bu. / CWT	\$ 455,576.94 (Can)

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 LETTER & SPREADSHEET ATTACHED.

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 	Date MARCH 22 / 19
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ART STACEY, LAWYER FOR DEEMAR COMMODITIES LTD  
Page 2 of 2

Writer's Name Art Stacey  
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E-mail Address ajs@tdslaw.com  
Direct Fax 204-934-0537

Legal Assistant Tracey Lev  
Direct Telephone 204-934-2589  
E-mail Address tlev@tdslaw.com

March 22, 2019

DELIVERED

Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue  
Department 408  
Bismarck, North Dakota 58505-0480

Dear Sir or Madam:

Re: Hunter Hanson/ dba Midwest Grain Trading /  
NoDak Grain  
Our Matter No. 0162583 AJS

By our letter dated March 11, 2019 we provided you with substantiation of Delmar commodities Ltd.'s direct losses from the failure of the above noted business. We now attach a spreadsheet prepared by our client which sets out the further losses suffered by reason of the non-completion by Midwest Grain Trading of the six open contracts which it had entered into with our client.

The attached spread sheet shows the derivation of the further claim of \$455,576.94 comprised of:

- a) Column "Q" of spreadsheet - loss on sales of peas from unfilled contract with Midwest Grain, peas sold in order to mitigate losses (\$377,728.06); and
- b) Column "T" of spreadsheet - loss on foreign exchange position taken in respect of each contract (\$77,848.88).

The total of our client's claim is \$1,053,656.88 (Can.). Please advise if anything further is required in respect of this portion of our client's claim.

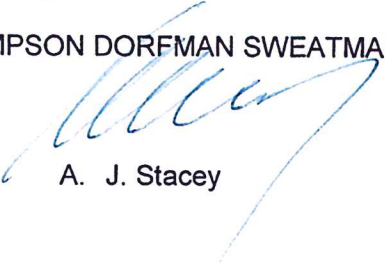


THOMPSON  
DORFMAN  
SWEATMAN

Yours truly,

THOMPSON DORFMAN SWEATMAN LLP

Per:

  
A. J. Stacey

AJS  
Attach.  
cc. Scott Crick

A	B	C	D	E	F	G
On Hold	Status	Contract	Type	Customer	Item	Net Qty
No	PSTD	HO301647	Cash	Midwest Grain Trading	Peas Yellow2	20,000
No	PSTD	HO301559	Cash	Midwest Grain Trading	Peas Yellow2	50,000
No	PSTD	HO301558	Cash	Midwest Grain Trading	Peas Yellow2	50,000
No	PSTD	HO301546	Cash	Midwest Grain Trading	Peas Yellow2	100,000
No	PSTD	HO301531	Cash	Midwest Grain Trading	Peas Yellow2	25,000
No	PSTD	HO301513	Cash	Midwest Grain Trading	Peas Yellow2	25,000

<i>H</i> Delivered Qty	<i>I</i> Canceled Qty	<i>J</i> Remaining Qty	<i>K</i> Orig Sale Value (US)	<i>L</i> CDN Sale Value @ Contract FX	<i>M</i> Market Value Feb 28-19
0	0	20,000	\$7.13	\$9.47	\$6.50
0	0	50,000	\$7.18	\$9.21	\$6.50
42,055	0	7,945	\$7.18	\$9.21	\$6.50
35,763	0	64,237	\$7.23	\$9.06	\$6.50
17,162	0	7,838	\$7.20	\$9.05	\$6.50
0	0	25,000	\$7.15	\$9.20	\$6.50

<i>N</i>	<i>O</i>	<i>P</i>	<i>Q</i>	<i>R</i>	<i>S</i>
Freight/bu to FOB Rugby	Current Sales Value	Market Loss per Bu	Undelivered Contract Loss	Contract FX Hedge Rate	Current Rate
\$0.52	\$7.02	\$2.45	\$49,016.78	1.2849	1.3411
\$0.52	\$7.02	\$2.20	\$109,885.94	1.2812	1.3411
\$0.52	\$7.02	\$2.20	\$17,460.88	1.2840	1.3411
\$0.52	\$7.02	\$2.04	\$130,946.42	1.2819	1.3411
\$0.52	\$7.02	\$2.03	\$15,937.07	1.2524	1.3411
\$0.52	\$7.02	\$2.18	\$54,480.97	1.2708	1.3411
			<u>\$377,728.06</u>		
			CDN Value		



FX Loss

-\$8,021.25

-\$21,504.10

-\$3,257.28

-\$27,494.47

-\$5,005.66

-\$12,566.13

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-\$77,848.88

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