

Crockford, Konrad S.

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**North Dakota
Court System**

Filing Accepted

Envelope Number: 3608004
Case Number: 35-2018-CV-00088
Case Style: Public Service Commission vs.
Hunter Hanson d/b/a NoDak Grain, et al.

The filing below was reviewed and has been accepted by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

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	11/1/2019 9:03 AM CST
Date/Time Accepted	11/1/2019 9:55 AM CST
Accepted Comments	
Filing Type	Exhibit
Filing Description	24 - Christopher Rystedt
Activity Requested	EFileAndServe
Filed By	Mitchell Armstrong
Filing Attorney	Mitchell Armstrong

Document Details	
Lead Document	Exhibit 24 to Aff of AJS.pdf
Lead Document Page Count	3
File Stamped Copy	View Stamped Document
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North Dakota Court's Information Technology Department 701-328-4218
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Claimant Name & Address
 Christopher Rystedt
 PO Box 234
 Powers Lake, ND 58773
 PH: 701-641-0209
 crystedt@hotmail.com

Date Claim Filed March 13, 2019
Date Payment Demand Made None Made

PSC Calculated value total \$ 31,816.62
 Less other payments

Total cash claim

Nicholas Rystedt share 13.33% \$ 4,241.16
 Eloise Rystedt share 20.00% \$ 6,363.32
 Christopher Rystedt Share 66.67% \$ 21,212.14

	Settlement #	NA	Date	date	Date	date
ECGM Trade Confirmation #	21273					
Seller Contract #	NA					
Midwest Contract #	NA					

Claim applied against:	Cash		
Commodity	Yellow Peas		
Contracted Price Per Bushel	\$ 6.90		
Contracted Bushels	12,000.00		
Delivered bushels*	4,657.68	-	-
Gross Amount Due*	\$ 32,137.99	\$	\$
Less Total Fees & assessments*	\$ 321.37	\$	\$
PSC calculated value*	\$ 31,816.62	\$	\$
Estimated Value per Midwest			
Claimant calculated claim	\$ 32,179.49		



Comments:

1. Portion of the claim deemed to be invalid:
 - a. The claimant stated that \$50,620.54 of the claim was for grain that was not picked up or delivered. Since no grain was delivered no payment is due and therefore this portion of the claim is invalid in this insolvency proceeding.
2. Additional interested Parties:
 - a. ECGM Trade Confirmation #21273 indicates that payment is to be made to three individuals broken down as follows:
 - i. Production contract for 300 acres – 100% of the value
 - ii. 40 acres, Nicholas Rystedt – 13.33% of the value
 - iii. 60 acres, Eloise Rystedt – 20.00% of the value
 - iv. 200 acres, Christopher Rystedt – 66.67% of the value
3. Differences in total values explained:
 - a. The claimant did not deduct the appropriate checkoff fee amount that would have been deducted prior to final settlement per standard grain settlement practices.
 - b. For the calculation of the total bushels delivered, the claimant used the NET CWT on the scale tickets however the volume of splits needed to be added to that amount according to ECGM trade confirmation #21273 all splits were to be paid in full.
4. Explanation on how PSC calculated NET bushels:
 - a. Per ECGM Trade Agreement #21273 destination discount schedule was to be used.
 - b. The only difference between the destination discount schedule and the agreed terms of ECGM Trade Confirmation #21273 was that the destination deducted half of the total splits percentage from the gross CWT.
 - i. Per ECGM Trade Confirmation #21273 MGT was to pay for all splits.
 - ii. Therefore the volume of splits deducted on the destination scale ticket were added to the net volume of grain listed on the destination scale ticket to arrive at the correct volume of grain.
 - c. Destination scale tickets used CWT, not bu. as their unit of measure.
 - i. For hundred weight (CWT) it is 100 pounds (lbs.) per one CWT.
 - ii. For yellow peas it is a standard 60lbs. per bushel.
 - d. PSC used the following formula to calculate Net bushels:
 - i.
$$\text{Net Bu.} = (100 * ((\text{destination net CWT}) + (\text{destination splits CWT}))) / 60$$
 1. The NET bushel calculation was rounded to two decimal places.

Summary table of how value of each load calculated:

BOL Information		Destination Information - inbound				Pricing				Contracts			
BOL Date	Bushels	Elevator	Scale Ticket #	Delivery Date	Net Bu	Net Price per Bu	Gross Amount Due	Checkoff	NET Amount Due	Estimate #	ECGM #	Seller Contract	Midwest Contract
11/2/2018	1,240.00	Dakota Dry Bean - Crary	CRA001001924	11/2/2018	1,219.90	\$ 6.90	\$ 8,417.31	\$ 84.17	\$ 8,333.14	NA	21273	NA	NA
11/2/2018	1,099.33	Dakota Dry Bean - Crary	CRA001001934	11/2/2018	1,088.68	\$ 6.90	\$ 7,511.89	\$ 75.12	\$ 7,436.77	NA	21273	NA	NA
11/5/2018	1,208.67	Dakota Dry Bean - Crary	CRA001001944	11/5/2018	1,195.13	\$ 6.90	\$ 8,246.40	\$ 82.46	\$ 8,163.94	NA	21273	NA	NA
11/6/2018	1,160.00	Dakota Dry Bean - Lakeview	LAK001000973	11/6/2018	1,153.97	\$ 6.90	\$ 7,962.39	\$ 79.62	\$ 7,882.77	NA	21273	NA	NA

Summary table of how net bushels calculated:

Destination Information - inbound				CWT calculations			Scale ticket Grade Factors				Contracts			
Elevator	Scale Ticket #	Delivery Date	Net Bu	PSC Net CWT	Net CWT	splits CWT	MST	DMG	Splits	FM	Estimate #	ECGM #	Seller Contract	Midwest Contract
Dakota Dry Bean - Crary	CRA001001924	11/2/2018	1,219.90	731.94	731.05	0.89	13.5	0.970	0.240	0.650	NA	21273	NA	NA
Dakota Dry Bean - Crary	CRA001001934	11/2/2018	1,088.68	653.21	652.95	0.26	13.5	0.560	0.080	0.410	NA	21273	NA	NA
Dakota Dry Bean - Crary	CRA001001944	11/5/2018	1,195.13	717.08	716.46	0.62	13.2	0.730	0.170	0.390	NA	21273	NA	NA
Dakota Dry Bean - Lakeview	LAK001000973	11/6/2018	1,153.97	692.38	692.17	0.21	11.1	0.467	0.067	0.067	NA	21273	NA	NA