

Crockford, Konrad S.

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



**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	30 - Ryan Spitzer
Activity Requested	EFileAndServe
Filed By	Mitchell Armstrong
Filing Attorney	Mitchell Armstrong

Document Details	
Lead Document	Exhibit 30 to Aff of AJS.pdf
Lead Document Page Count	2
File Stamped Copy	View Stamped Document
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/ViewDocuments.aspx?FID=87ad4013-f2f0-4430-b16c-02c9b3edc46d	

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North Dakota Court's Information Technology Department 701-328-4218
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Claimant Name & Address
 Ryan Spitzer
 540 86th Avenue SE
 Kensial, ND 58455
 701-320-2079
 ryanspitzer@hotmail.com
 Attorney: Daniel L. Guastad
 Pearson Christensen, PLLP
 701-775-0521

Date Claim Filed March 11, 2019
Date Payment Demand Made none

PSC Calculated value total \$ 29,148.06
 Less other payments

Total cash claim
 \$ 29,148.06

Settlement #	Date	date	Date	date
210	9/25/2018			
ECGM Trade Confirmation #	21277			
Seller Contract #	NA			
Midwest Contract #	NA			
Claim applied against:	Cash			
Commodity	Spring Wheat			
Contracted Price Per Bushel	\$ 5.54			
Contracted Bushels	10,000.00			
Delivered bushels*	5,137.49			
Gross Amount Due*	\$ 29,225.11	\$		\$
Less Total Fees & assessments*	\$ 77.05	\$		\$
PSC calculated value*	\$ 29,148.06	\$		\$
Estimated Value per Midwest	\$ 58,441.45			
Claimant calculated claim	\$ 29,225.13			



Comments:

1. Summary:
 - a. Ryan Spitzer received a check #1049 written from NODAK GRAIN from North Star bank. Check was written on 11-2-18 and Ryan received a STOP PAYMENT notification for this check on 11-19-18. The check was written for \$58,441.45, however upon review of the submitted documents it appears that Midwest duplicated the scale tickets on Midwest Estimate #210, effectively doubling the amount that Midwest calculated that they owed Ryan Spitzer for 5 loads of spring wheat.
2. Differences in claim calculations explained:
 - a. The difference in total calculated value of the claim is that the PSC calculation takes into account the \$0.015 per bushel checkoff fee that would be deducted prior to final settlement per industry standard practices, while the claimant's calculated value did not.
3. Note - Received supplemental information from East Central Grain Marketing regarding the pricing of the basis contract. This further substantiates that the cash price of \$5.54 per bushel was established.

Summary table of how value of each load calculated:

Destination Information - Inbound					Pricing					Scale ticket Grade Factors					Contracts		
Elevator	Scale Ticket #	Delivery Date	Net Bu	Base Price per Bushel	Prem. & Disc. per bu	Net Price per Bu	Gross Amount Due	Checkoff	NET Amount Due	TW	MST	Dkg	Protein	Estimate #	ECGM #	Seller Contract	Midwest Contract
Osnabrock FCE - Nekoma	175993	9/10/2018	1,050.91	\$ 5.54	\$ -	\$ 5.54	\$ 5,822.04	\$ 15.76	\$ 5,806.28	61.6	12.7	1.2	14.0	210	21277	NA	NA
Osnabrock FCE - Nekoma	176218	9/14/2018	934.33	\$ 5.54	\$ 0.20	\$ 5.74	\$ 5,363.05	\$ 14.01	\$ 5,349.04	60.2	12.1	2.3	14.4	210	21277	NA	NA
Osnabrock FCE - Nekoma	176078	9/11/2018	1,019.23	\$ 5.54	\$ (0.05)	\$ 5.49	\$ 5,595.57	\$ 15.29	\$ 5,580.28	59.9	15.4	1.7	13.9	210	21277	NA	NA
Osnabrock FCE - Nekoma	176158	9/12/2018	1,035.56	\$ 5.54	\$ 0.50	\$ 6.04	\$ 6,254.78	\$ 15.53	\$ 6,239.25	59.0	14.4	1.7	15.0	210	21277	NA	NA
Osnabrock FCE - Nekoma	176190	9/13/2018	1,097.46	\$ 5.54	\$ 0.10	\$ 5.64	\$ 6,189.67	\$ 16.46	\$ 6,173.21	60.6	11.9	2.1	14.3	210	21277	NA	NA