

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 NOS.  
 35-2018-CV-00088  
 &  
 35-2019-CV-00019

**JUDGMENT**

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Public Service Commission )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 Hunter Hanson )  
 d/b/a Midwest Grain Trading )  
 )  
 and )  
 )  
 State Farm Fire Casualty Company )  
 )  
 Respondents. )

[¶ 1] The Court having considered this matter and having issued its *Order for Judgment Approving Report and Recommendations of Trustee as Amended*, IT IS HEREBY ADJUDGED and DETERMINED:

1. The Report and Recommendation of Trustee dated October 31, 2019, as amended on April 3, 2020, is approved.
2. The Public Service Commission (Commission) shall make payments from the trust fund proceeds (which includes grain proceeds, interest earned, bond proceeds, and other proceeds) as detailed in and for the reasons explained in the Report and Recommendations as amended. The valid trust fund claimants, the approved claim amount, each claimant's pro-rata share, and the payment to each valid trust fund claimant is as follows:

<b>Valid Trust Fund Claimants</b>	<b>Claim Value</b>	<b>Pro Rata Share</b>	<b>Payment</b>
David Anfinson	\$ 256,106.51	3.56%	\$ 48,929.51
Berthold Farmers Elevator, LLC	\$ 27,790.92	0.39%	\$ 5,309.49
Bridge Agri Partners, Inc.	\$ 33,133.82	0.46%	\$ 6,330.26
CHS Inc. d/b/a CHS Garrison	\$ 308,311.83	4.29%	\$ 58,903.42
Co-op Elevator of McClusky	\$ 395,293.36	5.50%	\$ 75,521.36
Dakota AgSynergy LLC	\$ 158,941.79	2.21%	\$ 30,366.06
Delmar Commodities Ltd.	\$ 571,981.47	7.96%	\$ 109,277.88
Dillon Dionne	\$ 40,818.69	0.57%	\$ 7,798.47
Jonathan Enget	\$ 19,327.54	0.27%	\$ 3,692.55
Wade and Breann Fischer	\$ 142,313.88	1.98%	\$ 27,189.27
Kent Florhaug	\$ 53,615.10	0.75%	\$ 10,243.24
Dale Ganskop	\$ 53,011.12	0.74%	\$ 10,127.85
Roger Harstad	\$ 111,943.95	1.56%	\$ 21,387.05
Glen Hauf	\$ 86,078.81	1.20%	\$ 16,445.48
K & S Operating Partnership	\$ 56,612.12	0.79%	\$ 10,815.83
Donald and Jeff Knox	\$ 144,957.49	2.02%	\$ 27,694.34
Bobby Kubas	\$ 89,820.08	1.25%	\$ 17,160.25
Seth Lura	\$ 76,315.21	1.06%	\$ 14,580.13
Mark and Lori Martinson	\$ 58,080.62	0.81%	\$ 11,096.39
McClellan Elevator Company	\$ 390,339.34	5.43%	\$ 74,574.89
Derek Morey	\$ 145,269.36	2.02%	\$ 27,753.92
Kristen Keith Mortenson	\$ 6,702.42	0.09%	\$ 1,280.51
Murray Pfau	\$ 145,919.01	2.03%	\$ 27,878.04

Powers Lake Elevator Company	\$ 388,226.11	5.40%	\$ 74,171.15
Prairie Pines, Inc.	\$ 61,565.35	0.86%	\$ 11,762.15
Ray Farmers Union Elevator Company	\$ 784,258.69	10.91%	\$ 149,833.74
Renville Elevator Company	\$ 710,378.26	9.89%	\$ 135,718.78
Christopher Rystedt	\$ 31,816.62	0.44%	\$ 6,078.61
Shafer Commodities Inc.	\$ 168,166.97	2.34%	\$ 32,128.54
Leon Schmaltz	\$ 187,827.26	2.61%	\$ 35,884.67
Andrew Skaare	\$ 105,435.06	1.47%	\$ 20,143.52
Lynden Skaare	\$ 255,220.85	3.55%	\$ 48,760.31
Southland Pulse, Inc.	\$ 39,555.23	0.55%	\$ 7,557.08
Ryan Spitzer	\$ 29,148.06	0.41%	\$ 5,568.78
Cody St. Croix	\$ 80,285.33	1.12%	\$ 15,338.63
David St. Croix	\$ 118,011.30	1.64%	\$ 22,546.23
Ronald St. Croix	\$ 56,087.08	0.78%	\$ 10,715.52
Austin Steinmetz	\$ 26,126.87	0.36%	\$ 4,991.58
Todd Timm	\$ 66,606.40	0.93%	\$ 12,725.25
United Quality Cooperative	\$ 346,931.71	4.83%	\$ 66,281.80
James Walsh	\$ 76,600.46	1.07%	\$ 14,634.63
Josh Watterud	\$ 21,822.74	0.30%	\$ 4,169.27
Paul Weyrauch	\$ 87,480.13	1.22%	\$ 16,713.20
Wilton Farmers Elevator Co.	\$ 33,891.36	0.47%	\$ 6,474.99
Woodworth Farmers Grain Co.	\$ 137,711.66	1.92%	\$ 26,310.01
<b>Total Cash/Check Claims</b>	\$ 7,185,837.94		\$ 1,372,864.60
<b>Total Trust Fund Amount after Expenses (\$30,137.22)</b>	\$ 1,372,864.60		

Accumulated interest in the trust fund since the date of the Report and Recommendations as amended shall be pro-rated to each trust fund claimant at the time of payment. The separate trust fund accounts may be combined for the purpose of making payment. Payments shall be made jointly to the claimant and relevant valid lien holders at the time checks are issued.

3. There are valid credit-sale contract claimants for the reasons described in the Report and Recommendations as amended. Payment from the credit-sale contract indemnity fund is authorized for the valid credit-sale contract claimants, and the

payment to each valid credit-sale contract claimant is as follows:

<b>Valid Credit-Sale Claimants</b>	<b>Credit-Sale Claim Value</b>	<b>Payment (80%)</b>
Co-op Elevator of McClusky	\$ 287,669.35	\$ 230,135.48
Ryan Greenfield	\$ 21,198.41	\$ 16,958.73
McLean Elevator Company	\$ 222,001.98	\$ 177,601.58
Renville Elevator Company	\$ 140,109.18	\$ 112,087.34
Richard Rice	\$ 118,169.53	\$ 94,535.62
Rodney Sauer	\$ 29,945.82	\$ 23,956.66
Travis Zabloutney	\$ 17,818.85	\$ 14,255.08
<b>Total Claims Amount Paid from Indemnity Fund</b>		\$ 669,530.49
<b>Expenses</b>		\$ 30,137.22
<b>Total Payment from Indemnity Fund</b>		\$ 699,667.71

Such payments shall be made jointly to the claimant and relevant valid lien holders at the time checks are issued.

4. Any other claims filed are denied for the reasons described in the Report and Recommendations of Trustee.
5. The Commission is entitled to recover half of its fees and expenses incurred prior to July 1, 2019, from the trust fund in the amount of \$30,137.22 for the reasons explained in the Report and Recommendations of Trustee as amended. The Commission is entitled to recover half of its fees and expenses incurred prior to July 1, 2019, from the credit-sale contract indemnity fund in the amount of \$30,137.22 for the reasons explained in the Report and Recommendations of Trustee as amended.
6. Upon payment to the trust fund claimants and the credit-sale contract indemnity fund claimants as identified in the Report and Recommendations of Trustee as amended, the Commission is discharged from its duties as Trustee for Hunter Hanson d/b/a NoDak Grain and Hunter Hanson d/b/a Midwest Grain Trading.

BY THE COURT:

Michelle Lyons - Deputy  
Clerk of the District Court