

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
SIXTH DIVISION

In RE:

Bky No.: 04-60106-DDO

Daniel S. Miller,
Debtor.

Adversary Case No. :04-6043

Daniel S. Miller,
Plaintiff,
vs.

**ANSWER TO CROSSCLAIM OF
ERIK NYMANN AND NYMANN FARMS**

Daniel Altepeter, Darral Altepeter, John Altepeter, Peter Anderson, Roger Anderson, Doug Barth, Chuck Bina, Bremer Bank National Association, Monte Casavan, Gregory Driscoll, Dubuque Farming Association, Emmert Farms, Farmers Coop Grain & Seed, Kyle Haake, Roger Hagen, Russ Halverson, Gary Hoper, J&J Gust Farms, J.O. Thorson Farms, Inc., JETN Farms LLP, Gorman Johnson, Loren Johnson, Walter Johnson, Dan Juneau, Joe Juneau, Charles Kaml, Key West Farms, KO-R Farms, Inc., K-Team, Gary Larson, Lonesome Land, Matco, Inc., David McCollum, McWalter Farms, Inc., James A. Narum, Bradley Nelson, Doyle Nelson, Jeremy J. Nelson, Patrick Noll, Erik Nymann, Nymann Farms, Ose Farms a/k/a Joseph T. Ose, Burl Peckman, Gary Peckman, Pederson Brothers, Peterson Farms, PM Farming, Inc., Hans Reinhardt, Darrold Rodahl, Larry Roisland, Gary Salentiny, Dennis Salentiny, Richard Salentiny, Andrew Spaeth, John Spina, Howard Steinmetz, Matt Thorson, Ronald Thorson, Tri-Mack Potato, Inc., United Grain & Livestock, Erwin Vanek, Dan Wichterman, Steve D. Wollin and Gregory Wollin.

Defendants.

JETN Farms, LLP for its answer to the Crossclaim of the Co-Defendant, Erik Nymann and Nymann Farms states and alleges as follows:

1. The answering Defendant denies each and every allegation statement or assertion contained in said crossclaim unless expressly admitted, qualified or otherwise explained.
2. The answering Defendant specifically alleges that the wheat that had been removed from the Plaintiff's Tilden Storage site rightfully belonged to it and, therefore, it could not have possible converted any spring wheat belonging to Erik Nymann and Nymann Farms.

WHEREFORE, JETN Farms, LLP prays for the Judgment of this Court as follows:

1. Dismissing the crossclaim of Erik Nymann and Nymann Farms with prejudice.
2. Determining that JETN Farms, LLP is the owner of the wheat that it removed from the Plaintiff's Tilden storage site.
3. Granting to JETN Farms, LLP its Attorney's fees, costs and disbursements incurred herein.
4. Granting to JETN Farms, LLP such other and further relief as to the Court deems just and equitable.

Dated: July 14, 2004.

DUFFY LAW OFFICE

/s/ Kevin T. Duffy

By Kevin T. Duffy
Attorney for JETN Farms, LLP
P.O. Box 715
Thief River Falls, MN 56701
Telephone: 218-681-8524
Attorney ID #134 600

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Defendants.

UNSWORN CERTIFICATE OF SERVICE

I, Tonya R. Klemetson, declare under penalty of perjury that on July 14, 2004, I mailed copies of the foregoing **Answer to Crossclaim of Erik Nymann and Nymann Farms** by first class certified mail postage prepaid to each entity named below at the address stated below for each entity:

Mr. Robert J. Feigh
Attorney at Law
1010 W St. Germain St. Ste 600
St. Cloud, MN 56301

Mr. Michael S. Dove
Attorney at Law
2700 South Broadway
P.O. Box 458
New Ulm, MN 56073-0458

Executed on: July 14, 2004.

Signed:



Tonya R. Klemetson
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