

IN THE COMMON PLEAS COURT  
OF FULTON COUNTY, OHIO

THE FARMERS & MERCHANTS  
STATE BANK,

Plaintiff,

v.

ARCHBOLD ELEVATOR, INC., et al.,

Defendants.

) Case No. 11 CV 000128

) Judge Barber

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**ANSWER TO CROSS CLAIM OF  
DEFENDANT FENSTERMAKER FARMS,  
INC.**

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Attorneys for Defendants  
The Andersons, Inc. and  
The Andersons Agriculture Group, L.P.

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Defendants, The Andersons, Inc. and The Andersons Agriculture Group, L.P. (collectively, "The Andersons"), by and through their attorneys, state and aver for their Answer to the Cross Claim of Defendant Fenstermaker Farms Inc. ("Fenstermaker"), as follows:

1. The Andersons are without knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph Nos. 1 and 2 of Fenstermaker's Cross Claim, and therefore, deny same.

2. The Andersons admits that part of Paragraph No. 3 of Fenstermaker's Cross Claim which states that The Andersons has an interest in certain assets that are the subject of its Cross-Claim and Counterclaim but denies, for lack of knowledge and information, the remainder of the allegations.

3. The Andersons restates and incorporates by reference Paragraph Nos. 1 and 2 above.

4. The Andersons are without knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph Nos. 5, 6, 7 and 8 of Fenstermaker's Cross Claim, and therefore, deny same.

5. The Andersons restates and incorporates by reference Paragraph Nos. 1 through 4 above.

6. The Andersons are without knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph Nos. 9, 10, 11 and 12 of Fenstermaker's Cross Claim, and therefore, deny same.

7. The Andersons admits that part of Paragraph No. 13 of Fenstermaker's Cross Claim which states that The Andersons has an interest in the Fenstermaker Collateral but denies, for lack of knowledge and information, the remainder of the allegations.

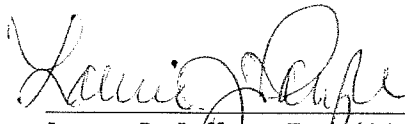
**WHEREFORE**, The Andersons, Inc. and The Andersons Agriculture Group L.P.

respectfully request the following relief:

1. Dismissal of Fenstermaker's Cross Claim against The Andersons, Inc. and The Andersons Agriculture Group L.P.;
2. Entry of judgment in The Andersons, Inc. and The Andersons Agriculture Group L.P.'s favor and against all cross-claims asserted by Fenstermaker Farms, Inc.;
3. An order granting The Andersons, Inc. and The Andersons Agriculture Group L.P. their reasonable attorneys' fees, costs and disbursements as provided for by law;
4. All other forms of relief previously requested by The Andersons, Inc. and The Andersons Agriculture Group L.P.; and
5. Any other and further relief that the Court deems appropriate.

Respectfully submitted,

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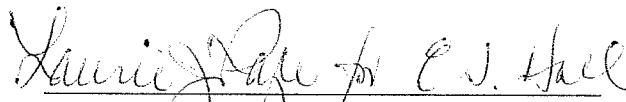
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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been sent by ordinary United States Mail, postage prepaid, this 16<sup>th</sup> day of June, 2011 to the following:

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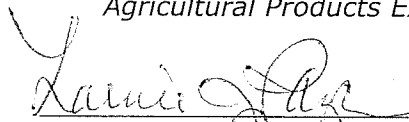
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