

FILED
FULTON COUNTY
COMMON PLEAS COURT
2011 JUN -8 A 10:32
PAUL E. MACDONALD
CLERK

IN THE COURT OF COMMON PLEAS
FULTON COUNTY, OHIO

THE FARMERS & MERCHANTS
STATE BANK,

Plaintiff,

-vs-

ARCHBOLD ELEVATOR, INC., et al.,

Defendants.

) Case No. 11CV000128

) Judge Barber

) **NOTICE OF SENDING CREDITOR
CLAIM FORMS AND PUBLICATION
OF CONTACT INFORMATION FOR
UNKNOWN CREDITORS**

) Gerald R. Kowalski (0022323)

) Renisa A. Dorner (40192)
COOPER & WALINSKI, LPA

) 900 Adams Street
Toledo, Ohio 43604

) Telephone: (419) 241-1200

Telefax: (419) 720-3421

) Email: kowalski@cooperwalinski.com
dorner@cooperwalinski.com

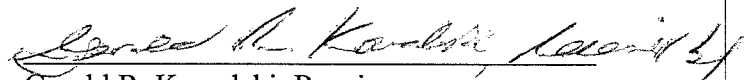

)
Counsel for Archbold Entities

On May 27, 2011, the Receiver filed Receiver's First Status Report. In the first report, the Receiver advised the Court that it would send a Claim Form to all known creditors and, pursuant to Fulton County Local Rule 5.05(A)(1), attempt to contact unknown creditors by publication. On June 3, 2011, the Receiver sent 180 letters with the Creditor Claim Form (attached as Exhibit A) to all known creditors. The Receiver will also provide a notice by publication to unknown creditors in the Archbold Buckeye and the Crescent News. The advertisement (attached as Exhibit B) will be printed in the Archbold Buckeye on June 8, 15 and 22. Additionally, the Crescent News will print the same advertisement on June 10, 17 and 24.

The Creditor Claim Forms and all supporting documentation from known creditors needs to be returned to the Receiver no later than June 30, 2011. The Receiver will analyze the claims and report to the Court their validity and priority.

The unknown creditors must contact the Receiver's office no later than June 30, 2011 at which time the Receiver will provide Creditor Claim Forms and response deadlines.

Respectfully submitted,


Gerald R. Kowalski, Receiver
Renisa A. Dorner
Counsel for Archbold Entities 

CERTIFICATE OF SERVICE

This is to certify that on this 6 day of June, 2011, a copy of the foregoing *Notice of Sending Creditor Claim Forms and Publication of Contact Information for Unknown Creditors* was served by ordinary United States mail upon:

David J. Coyle
Nathan A. Hall
Shumaker, Loop & Kendrick, LLP
100 Jackson Street
Toledo, Ohio 43604
Counsel for Plaintiffs

Steven L. Diller
Dillon W. Staas
Diller & Rice, LLC
124 E. Main Street
Van Wert, Ohio 45891
Counsel for Defendant D&D Ingredient Distributors, Inc.

Brian C. Kalas
5580 Monroe Street
Sylvania, Ohio 43560
Counsel for Defendants William & Lynette Fricke

James R. Patterson
Ohio Department of Agriculture
8995 East Main Street
Reynoldsburg, Ohio 43068

James R. Jeffery
Laurie J. Pangle
James P. Silk, Jr.
Spengler Nathanson P.L.L.
Four SeaGate, Suite 400
Toledo, Ohio 43604-2622
*Counsel for Defendants The Andersons, Inc.
and The Andersons Agriculture Group, L.P.*

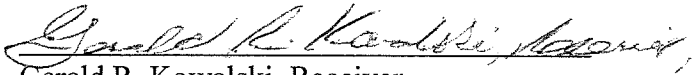

Elizabeth J. Hall
480 W. Dussel Drive
Maumee, Ohio 43537
*Counsel for Defendants The Andersons, Inc. and
The Andersons Agriculture Group, L.P.*

The Receivables Exchange, LLC
c/o Statutory Agent
National Registered Agents, Inc.
1011 N. Causeway Blvd., Suite 3
Mandeville, Louisiana 70471

Toyota Motor Credit Corporation
c/o Statutory Agent
CT Corporation System
1300 East Ninth Street
Cleveland, Ohio 44114

Michael S. Messenger
Mark A. Ozimek
Robison, Curphey & O'Connell
Ninth Floor, Four SeaGate
Toledo, Ohio 43604
*Counsel for Defendant Fenstermaker Farms,
Inc.*

Gregory L. Arnold
Daniel C. Arnold
Law Offices of Gregory L. Arnold &
Associates, Ltd.
5749 Park Center Court
Toledo, Ohio 43615
*Counsel for Agricultural Products Extension,
LLC*


Gerald R. Kowalski, Receiver 

CREDITOR CLAIM FORM

(WARNING: MUST BE NOTARIZED TO BE ACCEPTED BY RECEIVER)

From: _____ (Creditor)

Name _____

Address _____

Phone _____

Email _____

State of _____)

County of _____)

SS:

County of _____)

The undersigned, upon being properly sworn before a Notary Public, states under penalty of perjury the following:

1. I understand that the Court of Common Pleas for Fulton County, Ohio has appointed Gerald R. Kowalski as the Receiver for Archbold Elevator, Inc., Kainos Operations, Ltd., Henry Pig, Inc., and O-MI-O, Inc. (collectively referred to as "the Archbold Entities").
2. I have had adequate opportunity to contact the Receiver to discuss any questions, and all questions have been answered by the Receiver to my satisfaction.
3. Creditor provided goods or services, on or about _____ (date), for which it has not been paid by one or more of the Archbold Entities (choose all that apply)

_____ Archbold Elevator, Inc.

_____ Kainos Operations, Ltd.

_____ Henry Pig, Inc.

_____ O-MI-O, Inc.

4. The attached are true and accurate copies of invoices establishing the indebtedness owed to Creditor by one or more of the Archbold Entities. (Copies of invoices must be attached to this Claim Form.)

5. I believe the indebtedness is

_____ secured. (Evidence of the security must be attached to this form.)

_____ unsecured (typically trade debts).

EXHIBIT A

Failure to provide documentation of your security interest will result in your claim being deemed unsecured.

6. Creditor is owed _____ as of June 1, 2011 from one or more of the Archbold Entities.
7. I understand that the Receiver and the Court will rely upon this Claim Form and attachments for proof of the Creditor's claim.
8. I understand that upon receiving knowledge that the information contained in this form is inaccurate in any way, I will immediately notify the Receiver.

Signature

Legibly Print Name and Title

Address

Email Phone

On this ___ day of _____, 2011, before me, the undersigned Notary Public,
personally appeared _____,
(Creditor or Authorized Agent of Creditor)
proved to me on the basis of satisfactory evidence to be the person whose name was
subscribed to the within instrument, swore to the accuracy of the information contained
herein and executed it in my presence.

WITNESS my hand and official seal.

(stamp and seal)

Return Claim Form & Attachments by July 1, 2011 to:

**Gerald R. Kowalski
Cooper & Walinski LPA
900 Adams Street
Toledo, Ohio 43604**

**WARNING: IF THIS FORM IS NOT NOTARIZED AND
RETURNED TO THE RECEIVER BY JULY 1, 2011, THE CLAIM
WILL BE REJECTED.**

PUBLIC NOTICE

Fulton County Court of
Common Pleas, Case No. 11
CV 000128

The Farmers & Merchants
State Bank v. Archbold
Elevator, Inc., et al.

On April 12, 2011, Judge
Barber appointed Gerald
R. Kowalski as receiver of
Archbold Elevator, Inc.,
Kainos Operations, Ltd., O-
MI-O, Inc. and Henry Pig,
Inc.

Any creditor who has not
received written corre-
spondence from Mr. Kowalski
or his office should contact
Pariss Coleman or Elizabeth
Mowen at 419-241-1200 for
assistance in addressing
your claim.

The deadline for contacting
Mr. Kowalski's office is June
30, 2011.

EXHIBIT B