

# INSTRUCTIONS FOR FILING A GRAIN WAREHOUSE DEFAULT CLAIM FORM

Wis. Stats. ch. 126, Subchapter VII  
(Form TR-GR-106)

## WHO CAN FILE A DEFAULT CLAIM?

A depositor who is either a grain producer or producer agent may file a default claim if all the following applies:

- The grain producer or producer agent stored grain with a Grain Warehouse Keeper who is licensed, or required to be licensed
- The Grain Warehouse Keeper failed to return stored grain or its equivalent upon demand

## FILING DEADLINE FOR DEFAULT CLAIMS:

Default claims must be filed within 30 days after the claimant first learns of the default, unless the department has specified a later claim-filing deadline date.

## HOW TO COMPLETE THE DEFAULT CLAIM FORM:

The depositor shall specify the nature and amount of the default and provide any supporting documentation.

1. Enter the date the form is completed.
2. Enter name of Grain Warehouse Keeper that has failed to return stored grain or its equivalent.
3. Enter the legal name of the claimant / depositor.
4. Enter the claimant / depositor's business address (Street Address/PO Box, City, State, and ZIP).
5. Enter the best way to reach the contact person (telephone, email, cell and/or fax number), if more than one way to reach then list all ways to contact.
6. Enter the date the claimant first learned about the default and failure to receive grain.
7. Circle Yes or No whether you have filed a claim for grain deposits to this grain warehouse under any federal bankruptcy or Wis. Stats. ch. 128 receivership proceeding. Attach a copy of the filing if the answer is yes. Please note your claim may be disallowed per Wis. Stats. § 126.70(4)(L) if you were eligible to file a claim, but did not file a claim, under a federal bankruptcy proceeding initiated by another party prior to filing a claim with the DATCP. Your claim with DATCP may also be disallowed if a receivership proceeding under Wis. Stats. ch. 128 was initiated by another party or the claimant, or both, and you did not file a claim under that proceeding prior to filing with the state.
8. Complete the table for grain stored and not returned –
  - a. The location the grain was stored.
  - b. The type of grain being stored by the grain warehouse keeper.
  - c. Net bushel amount of grain that has not been returned.
9. The claim form must be signed by the claimant or the claimant's agent.
10. Supporting documentation includes but isn't limited to:
  - a. Copies of scale tickets and storage bills.
  - b. Any relevant information that was not included on this form.

## HOW TO SEND CLAIM FORM:

Send the claim and supporting documentation by mail, email, or fax using the information at the bottom of the form.

## QUESTIONS:

Please direct any questions you may have filing or completing this form to Sally Sutherland at (608)224-4967.