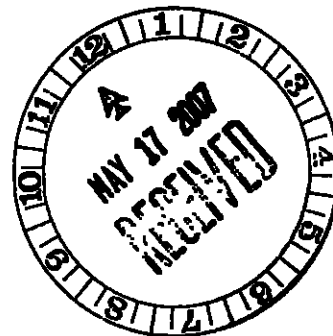


CHARLES H MONTANGE
ATTORNEY AT LAW
426 NW 162ND STREET
SEATTLE, WASHINGTON 98177
(206) 546-1936
FAX (206) 546 3739

16 May 2007
by express



Hon. Vernon Williams
Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20024

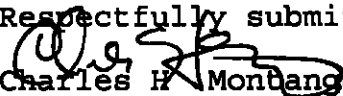
Re: PYCO Industries v. SAW, F.D. 34870

Dear Mr. Williams.

Enclosed please find an original and ten copies of an amendment/supplement to the Complaint filed by PYCO Industries, Inc in this proceeding. The amendment/supplement updates the Complaint and revises it to take into account developments subsequent to the date the Complaint was filed. This amendment/supplement is submitted pursuant to 49 C.F.R. § 1111.2.

Thank you for your assistance in this matter.

Respectfully submitted,


Charles H. Montange
for PYCO Industries, Inc.

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Office of Proceedings

MAY 17 2007

Part of
Public Record

Encls.

cc Mr. McFarland (counsel for SAW) (w/encl.)

PYCO INDUSTRIES, INC.)
)
v.) F.D. 34870
)
SOUTH PLAINS SWITCHING LTD.)

Part III of this pleading ensures that claims for damages and equitable relief on the part of PYCO against SAW for SAW's misconduct subsequent to April 19, 2006, are properly before this Board, as authorized by 49 C.F.R. § 1111.2.

PYCO does not construe any motion to be necessary to file supplementary claims and amendments under section 1111.2. If a motion is necessary, PYCO so moves, and there is good cause to grant the motion inasmuch as the record in F.D. 34802, 34899, and 34890 is replete with evidence of continued retaliatory actions by SAW or its alter ego Choo Choo against PYCO (and other shippers) subsequent to the date on which PYCO filed its Complaint.

I. Background

This proceeding. PYCO filed its Complaint against SAW on April 19, 2006. On May 9, 2006, SAW answered and filed a motion to dismiss, to which PYCO responded. PYCO and SAW filed a joint report responsive to 49 C.F.R. § 1111.10(a) requesting the Board to defer discovery pending a ruling on the motion to dismiss. By decision served May 4, 2007, the Board issued a procedural schedule, calling for completion of discovery on June 4, 2007.

PYCO moved to extend the protective order in F.D. 34890 specifically to cover this proceeding per motion filed 8 May 2007. On the same date, SAW moved to vacate the June 4 scheduling order. By letter dated 8 May, PYCO advised the Board it was prepared to proceed, and also served discovery upon SAW.

Other proceedings and actions by SAW and impact on original

Complaint. Due to SAW's unreasonable practices and failure to provide adequate rail service, PYCO sought alternative rail service pursuant first to 49 C.F.R. Part 1146 [in Finance Docket ("F.D.") 34802] and subsequently to 49 C.F.R. Part 1147 (in F.D. 34889). This Board found that SAW indeed had failed to provide adequate rail service,¹ and accordingly authorized alternative service to PYCO under Part 1146² and subsequently Part 1147.³ Pursuant to the authority granted in F.D. 34802 and F.D. 34889, West Texas & Lubbock Railroad (WTL) has provided exemplary rail service to PYCO.

II. Revisions Relating to Damages

The alternative service provided by WTL has served to mitigate certain of the damages claimed in PYCO's Complaint. In addition to mitigation through alternative service, PYCO has also mitigated damages by shipping cottonseed from Plainview, TX, rather than Lubbock. As a result of this mitigation, PYCO has made up its lost sales. However, PYCO has sustained increased costs directly attributable to SAW's inadequate service and unreasonable practices despite this mitigation. The two primary forms of increased cost are (a) increased costs due to use of Plainview to store and to ship cottonseed (\$223,385),

¹ E.g., Decisions in F.D. 34802 served Jan. 26, 2006 at p.5; served Feb. 24, 2006, at p.4; served June 21, 2006, at pp. 5-6; Dec. in F.D. 34844, et al., served July 3, 2006, at pp. 5-6; Dec. in F.D. 34889, served Nov. 21, 2006, at p. 4.

² Decision in F.D. 34802, served Jan. 26, 2006

³ Decision in F.D. 34889, served Nov. 21, 2006

and (b) loss of oil quality on seed due to delays in shipment (\$134,112). In short, rather than claim damages for lost sales, PYCO claims for the increased costs from mitigation to avoid those lost sales. In order to expedite this proceeding, PYCO attaches documents bearing on these damage claims against SAW in Exhibit A.

In Texas state court, SAW seeks to impose various unlawful and discriminatory surcharges and fees on PYCO. In this Complaint proceeding before this Board, PYCO seeks reparations other applicable damages from any past payments of these unlawful and discriminatory surcharges and fees, and an order barring any such unlawful and discriminatory surcharges and fees in the future. Exhibit A sets forth a specific calculation (\$183,600) by PYCO of unlawful and discriminatory surcharges and fees assessed by SAW against PYCO and paid by PYCO prior to the inception of alternative service. PYCO specifically seeks an award of those sums as part of its damages under the Complaint.

III. Amendment/Supplement

A. Supplemental Crossing Claim/Count

1. Subsequent to the filing of PYCO's Complaint in this proceeding, SAW purported to sell a "spite strip" of property to Choo Choo Properties, Inc. (owned by Larry Wisener, who had been manager of SAW and who is married to Delilah Wisener, who claims to own SAW). Because Choo Choo is an alter ego of SAW,⁴ PYCO

⁴ Decision in F.D. 34890, et al., served August 3, 2006, at p 6.

will refer to them collectively herein as "SAW/Choo Choo." SAW/Choo Choo purported to terminate PYCO's crossing between PYCO's cottonseed stockpile and PYCO's Plant No. 1 on the so-called "we" property contained in the "spite strip." SAW/Choo Choo sought and obtained injunctive relief in Texas state court barring PYCO from use of the crossing.⁵ PYCO sought relief from this Board from the actions of SAW/Choo Choo on the ground, inter alia, that they were unreasonable practices taken for retaliatory purposes due to PYCO's invocation of relief before this agency in the pending feeder line application proceeding (F.D. 34890) and other proceedings. In response, this Board issued orders voiding the alleged sale of property from SAW to Choo Choo after May 5, 2006, and all purported terminations of rights as well.⁶ PYCO requested that Texas state court dissolve the orders preventing PYCO's use of the crossing. However, SAW/Choo Choo argued that the transfer by SAW to Choo Choo pre-dated May 5, 2006, so that the termination of the crossing right was valid. The Texas state court then permitted only limited use of the crossing to allow removal of the 2005 cottonseed from the stockpile. At the instigation of SAW/Choo Choo, the state court has maintained its injunctive relief preventing PYCO from use of the crossing to move the 2006

⁵ SAW filed a copy of the "temporary restraining order" obtained by its alter ego Choo Choo in F.D. 34890 et al. as part of a pleading filed on or about August 1, 2006.

⁶ Decision in F.D. 34890, et al., served August 3, 2006, at p. 6.

cottonseed stockpile notwithstanding this Board's orders to the contrary.

2. PYCO has incurred damages in the form of additional haulage costs in an amount equal to \$222,500 as a result of the actions of SAW/Choo Choo in connection with the stockpile associated with the 2005 harvest.⁷ PYCO will incur additional costs to move its cottonseed from the 2006 harvest by reason of SAW/Choo Choo's continued violation of this Board's orders. In addition to additional haulage costs, PYCO has incurred and is incurring substantial continued legal fees and costs from the unwarranted trespass action that SAW/Choo Choo continues to pursue in Texas state court against PYCO concerning the crossing. That proceeding contravenes this Board's orders and SAW's continued maintenance of the proceeding through its alter ego Choo Choo is now an unreasonable, retaliatory practice PYCO is entitled to an award against SAW for PYCO's costs and attorneys fees relating to that proceeding, in an amount to be determined when the proceeding is finally concluded.

3. In the event SAW remains in control of its lines, PYCO requests that this Board order SAW to permit PYCO's use of the "wye" crossing on reasonable terms and conditions to be determined by this Board

B. Supplemental Claim/Count as to Other Licenses,
Leases, and Properties

4. PYCO, a rail-dependent shipper, has facilities (its

⁷ Documents showing the basis for the \$222,500 figure are attached as part of Exhibit A.

Plant No. 1) in Lubbock that are located around what is now the SAW yard in Lubbock. Plant No. 1 cannot be operated without use of various licenses and leases allowing access and utility rights through what is now SAW property. In December 2000, approximately a year after BNSF donated the property in Lubbock to SAW (SAW did not pay any compensation to BNSF for the rail property), PYCO paid SAW \$100,000 for certain property (including trackage) necessary for PYCO to continue to operate and for an extension for 20 years of further use of all remaining lease rights bearing on railroad property owned by SAW.⁸ Although PYCO made payment in full, SAW failed to deliver the relevant deed for the property PYCO sought to acquire and failed to deliver the lease extension.⁹ In retaliation against PYCO for PYCO's invocation of Board procedures and/or for PYCO's refusal to accede to Larry Wisener's more recent 2005 demand that PYCO hand over an additional \$5.5 million to buy unspecified property from SAW, and in derogation of the 20-year lease extension which PYCO had purchased in response to SAW's year 2000 demands, SAW purported

⁸ A copy of PYCO's check (dated December 4, 2000) for the property and extensions is set forth as an exhibit to the Kring Declaration in a PYCO pleading under cover letter dated October 13, 2006, filed in F.D. 34890 et al.

⁹ In related proceedings, SAW has represented that it executed and delivered the deed to PYCO (SAW sets forth the deed, dated Dec. 5, 2000, the day after PYCO's check, as an exhibit to pleadings filed by SAW's Lubbock counsel (Mr Gorsuch), in F D. 34890, on or about November 3, 2006. SAW failed to deliver the deed or extension to PYCO but instead pocketed the \$100,000.

to transfer to Choo Choo all the various PYCO licenses and leases which SAW and PYCO had agreed would be extended for 20 years effective on or about December 4 or 5, 2000. The SAW/Choo Choo termination of PYCO's various rights to use SAW property was and is an unreasonable and retaliatory practice. Pursuant to motions filed by PYCO, this Board voided all such terminations after May 5, 2006, and in a recent order in F.D. 34890 in response to requests for relief from another Lubbock shipper, this Board indicated that all such property transfers and terminations after January 9, 2006, were void.¹⁰ In any event, SAW's actions and inactions are an unreasonable and unlawful practice.

5. In the event that SAW remains in control of the rail facilities in Lubbock notwithstanding the feeder line proceeding, PYCO requests that this Board (a) order SAW to deliver a quitclaim deed to PYCO for recording for the property SAW acknowledges PYCO purchased in 2000; (b) order SAW to deliver to PYCO the 20-year lease extension which PYCO purchased from SAW in December 2000, and either (c) permanently enjoin SAW and any successor to SAW from terminating (or transferring to Choo Choo or any other party) any leases, licenses, or other rights currently relied upon by PYCO in Lubbock; or (d) require SAW to pay PYCO the costs of relocating all affected facilities, as well as all increased costs of operations, due to any

¹⁰ Compare Dec. in F.D. 34890 served August 3, 2006 with Dec. in F.D. 34890 served Jan. 24, 2007, at p. 6.

termination by SAW or a successor to SAW of PYCO's leases, licenses, or other rights prior to the termination of the 20-year extension term, dating from December 5, 2000. The Board should grant such other relief as is just and appropriate. Such relief may also include a direction to SAW to transfer the property SAW purported to transfer to Choo Choo at the same price SAW sold the property to Choo Choo

C. Supplemental Claim/Count for Other Costs

6. SAW has failed to maintain its trackage in a reasonable fashion. As a result, subsequent to this Board's order authorizing alternative rail service in F.D. 34802 on January 26, 2006, PYCO's alternative use provider (WTL) has incurred costs for clearing derailments and repairing SAW trackage to avoid future derailments. In addition, PYCO's alternative use provider and/or PYCO has incurred additional costs due to unlawful harassment by SAW employees, unlawful failure by SAW to participate in telephone calls to coordinate operations, and unlawful failure by SAW to control weeds on its property.

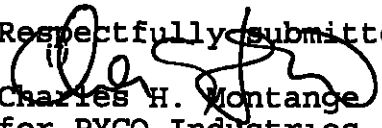
7. To the extent that PYCO bears costs resulting from SAW's unlawful actions or inactions, PYCO claims the amount in damages against SAW or as a set off to any claims by SAW for compensation for use of its facilities in F D. 34889 or 34802. To the extent WTL bears those costs, WTL and PYCO reserve the right to set those costs off against any claim by SAW for compensation for use of its facilities in F.D 34889 or 34802.

Conclusion

In order to facilitate an efficient proceeding on PYCO's complaint, PYCO is supplying a detailed breakdown of several of the elements of PYCO's monetary damage claims (with the reservation that certain costs continue to accrue and must be added to the amounts stated). See Exhibit A. This Exhibit among other things takes into account PYCO's diligent efforts, on its own accord or through WTL, to mitigate PYCO's damage claims against SAW.

PYCO has incurred¹¹ and continues to incur substantial damages due to unlawful and retaliatory actions by SAW and its alter ego Choo Choo subsequent to the filing of the Complaint. Pursuant to 49 C.F.R. § 1111.2, PYCO may appropriately amend its Complaint to seek relief from such actions by SAW/Choo Choo. Part III above sets forth key supplementary claims to date. An award of damages and permanent equitable relief against such post-April 19 (2006) misconduct by SAW/Choo Choo is both necessary and appropriate.

¹¹ Some of those damages are also set forth in Exhibit A.

Respectfully submitted,

Charles H. Montange
for PYCO Industries, Inc
426 NW 162d St.
Seattle, WA 98177
(206) 546-1936
fax: -3739

Of counsel:

Gary McLaren, Esq.
Phillips & McLaren
3305 66th St., Suite 1A
Lubbock, TX 79413
(806) 788-0609
for PYCO Industries, Inc.

Certificate of Service

I hereby certify service of the above discovery requests on
16 May 2007 upon Thomas McFarland, Esq., Counsel for SAW, by
express service, next day delivery, at 208 South LaSalle St.,
Suite 1890, Chicago, IL 60604-1112

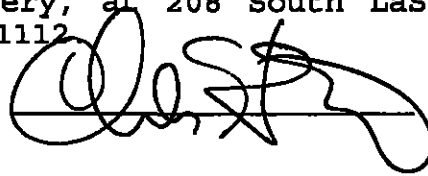


Exhibit A

PYCO Industries, Inc.
PYCO vs. SAW
Actual Damages Incurred
May 14, 2007

Surcharges & Constructive Placement Fees (See attached)	\$183,600
Costs of seed shipped from Plainview, TX (\$3 receiving, \$7 shipping, plus storage) (See attached)	\$223,385
Additional costs to haul seed around SAW (See attached)	\$222,500
Loss of oil quality on seed (See attached)	\$134,112
<u>Total</u>	<u>\$763,597</u>

PYCO Industries, Inc.
South Plains Switching Billing Analysis
Total Billing Summary

\$20 Surcharges per car	\$ 84,300 00
\$150 Constructive Placement charges per car stored	99,300 00
	\$ 183,600.00

PYCO Industries, Inc.
South Plains Switching Billing Analysis
\$20 Surcharge Summary

Invoice Date	Invoice Number	Service Date	Inbound Cars	Outbound Cars	Surcharge Rate	Invoiced Amount	Amount Paid	Check Number	Date Paid
4/18/2005	41726	4/11/2005	4	21	\$ 20 00	\$ 500 00			
4/18/2005	41726	4/12/2005		17	\$ 20.00	340 00			
4/18/2005	41726	4/13/2005		31	\$ 20.00	620 00			
4/18/2005	41726	4/14/2005	8	15	\$ 20.00	460 00			
4/18/2005	41726	4/15/2005		27	\$ 20 00	540 00			
4/18/2005	41726						\$ 2,460.00	29509	6/7/2005
4/25/2005	41731	4/18/2005	1	23	\$ 20 00	\$ 480.00			
4/25/2005	41731	4/19/2005		23	\$ 20 00	460 00			
4/25/2005	41731	4/20/2005		23	\$ 20 00	460 00			
4/25/2005	41731	4/21/2005	8	25	\$ 20.00	660.00			
4/25/2005	41731	4/22/2005		29	\$ 20 00	580 00			
4/25/2005	41731						\$ 2,640.00	29509	6/7/2005
5/2/2005	41739	4/25/2005	8	23	\$ 20 00	\$ 620.00			
5/2/2005	41739	4/26/2005		24	\$ 20 00	480 00			
5/2/2005	41739	4/27/2005		24	\$ 20 00	480.00			
5/2/2005	41739	4/28/2005		26	\$ 20 00	520 00			
5/2/2005	41739	4/29/2005	5	22	\$ 20 00	540 00			
5/2/2005	41739						\$ 2,640.00	29509	6/7/2005
5/9/2005	41745	5/2/2005	2	29	\$ 20 00	\$ 620 00			
5/9/2005	41745	5/3/2005	1	25	\$ 20 00	520 00			
5/9/2005	41745	5/4/2005		25	\$ 20.00	500.00			
5/9/2005	41745	5/5/2005	3	27	\$ 20.00	600.00			
5/9/2005	41745	5/6/2005		10	\$ 20.00	200 00			
5/9/2005	41745						\$ 2,440.00	29509	6/7/2005
5/16/2005	41752	5/9/2005	6	17	\$ 20 00	\$ 460.00			
5/16/2005	41752	5/10/2005		25	\$ 20 00	500 00			
5/16/2005	41752	5/11/2005		25	\$ 20 00	500 00			
5/16/2005	41752	5/12/2005		16	\$ 20.00	320 00			
5/16/2005	41752	5/13/2005		28	\$ 20.00	560 00			
5/16/2005	41752						\$ 2,340.00	29509	6/7/2005
5/24/2005	41754	5/16/2005	12	36	\$ 20 00	\$ 960 00			
5/24/2005	41754	5/17/2005		25	\$ 20.00	500.00			
5/24/2005	41754	5/18/2005	6	21	\$ 20.00	540 00			
5/24/2005	41754	5/19/2005		23	\$ 20 00	460 00			
5/24/2005	41754	5/20/2005	1	23	\$ 20 00	480 00			
5/24/2005	41754						\$ 2,940.00	29509	6/7/2005
5/31/2005	41762	5/23/2005		5	\$ 20 00	\$ 100 00			
5/31/2005	41762	5/24/2005	1	26	\$ 20.00	540 00			
5/31/2005	41762	5/25/2005	2	27	\$ 20 00	580 00			
5/31/2005	41762	5/26/2005		28	\$ 20 00	560 00			
5/31/2005	41762	5/27/2005	2	25	\$ 20 00	540 00			
5/31/2005	41762						\$ 2,320.00	29509	6/7/2005
6/6/2005	41766	5/31/2005	3	36	\$ 20 00	\$ 780 00			
6/6/2005	41766	6/1/2005		10	\$ 20 00	200 00			
6/6/2005	41766	6/2/2005		21	\$ 20 00	420 00			
6/6/2005	41766	6/3/2005		7	\$ 20 00	140 00			
6/6/2005	41766	6/4/2005			\$ 20 00	-			
6/6/2005	41766						\$ 1,540.00	29527	6/15/2005

PYCO Industries, Inc
South Plains Switching Billing Analysis
\$20 Surcharge Summary

Invoice Date	Invoice Number	Service Date	Inbound Cars	Outbound Cars	Surcharge Rate	Invoiced Amount	Amount Paid	Check Number	Date Paid
6/12/2005	41772	6/6/2005		23	\$ 20.00	\$ 460.00			
6/12/2005	41772	6/7/2005		14	\$ 20.00	280.00			
6/12/2005	41772	6/8/2005		20	\$ 20.00	400.00			
6/12/2005	41772	6/9/2005		8	\$ 20.00	160.00			
6/12/2005	41772	6/10/2005		14	\$ 20.00	280.00			
6/12/2005	41772						\$ 1,580.00	29575	6/30/2005
6/20/2005	41780	6/13/2005		18	\$ 20.00	\$ 360.00			
6/20/2005	41780	6/14/2005	2	26	\$ 20.00	560.00			
6/20/2005	41780	6/15/2005		25	\$ 20.00	500.00			
6/20/2005	41780	6/16/2005		23	\$ 20.00	460.00			
6/20/2005	41780	6/17/2005		25	\$ 20.00	500.00			
6/20/2005	41780						\$ 2,380.00	29575	6/30/2005
6/28/2005	41786	6/20/2005	6	24	\$ 20.00	\$ 600.00			
6/28/2005	41786	6/21/2005		22	\$ 20.00	440.00			
6/28/2005	41786	6/22/2005		24	\$ 20.00	480.00			
6/28/2005	41786	6/23/2005		28	\$ 20.00	560.00			
6/28/2005	41786	6/24/2005		26	\$ 20.00	520.00			
6/28/2005	41786						\$ 2,600.00	29586	7/1/2005
7/6/2005	41792	6/27/2005	3	36	\$ 20.00	\$ 780.00			
7/6/2005	41792	6/28/2005		24	\$ 20.00	480.00			
7/6/2005	41792	6/29/2005		24	\$ 20.00	480.00			
7/6/2005	41792	6/30/2005	4	28	\$ 20.00	640.00			
7/6/2005	41792	7/1/2005		27	\$ 20.00	540.00			
7/6/2005	41792						\$ 2,920.00	29601	7/8/2005
7/11/2005	41793	7/7/2005	1	46	\$ 20.00	\$ 940.00			
7/11/2005	41793	7/8/2005		9	\$ 20.00	180.00			
7/11/2005	41793	7/9/2005		13	\$ 20.00	260.00			
7/11/2005	41793	7/10/2005			\$ 20.00	-			
7/11/2005	41793	7/11/2005			\$ 20.00	-			
7/11/2005	41793						\$ 1,380.00	29614	7/13/2005
7/18/2005	41801	7/11/2005		14	\$ 20.00	\$ 280.00			
7/18/2005	41801	7/12/2005		6	\$ 20.00	120.00			
7/18/2005	41801	7/13/2005		22	\$ 20.00	440.00			
7/18/2005	41801	7/14/2005		32	\$ 20.00	640.00			
7/18/2005	41801	7/15/2005	8	32	\$ 20.00	800.00			
7/18/2005	41801						\$ 2,280.00	29633	7/20/2005
7/27/2005	41808	7/18/2005		30	\$ 20.00	\$ 600.00			
7/27/2005	41808	7/19/2005	4	27	\$ 20.00	620.00			
7/27/2005	41808	7/20/2005		7	\$ 20.00	140.00			
7/27/2005	41808	7/21/2005	1	35	\$ 20.00	720.00			
7/27/2005	41808	7/22/2005		30	\$ 20.00	600.00			
7/27/2005	41808						\$ 2,680.00	29697	8/8/2005
8/2/2005	41815	7/25/2005	1	31	\$ 20.00	\$ 640.00			
8/2/2005	41815	7/26/2005		34	\$ 20.00	680.00			
8/2/2005	41815	7/27/2005		28	\$ 20.00	560.00			
8/2/2005	41815	7/28/2005	4	20	\$ 20.00	480.00			
8/2/2005	41815	7/29/2005		26	\$ 20.00	520.00			
8/2/2005	41815						\$ 2,880.00	29695	8/8/2005

PYCO Industries, Inc
South Plains Switching Billing Analysis
\$20 Surcharge Summary

Invoice Date	Invoice Number	Service Date	Inbound Cars	Outbound Cars	Surcharge Rate	Invoiced Amount	Amount Paid	Check Number	Date Paid
8/11/2005	41817	8/1/2005	5	22	\$ 20 00	\$ 540 00			
8/11/2005	41817	8/2/2005	6	23	\$ 20 00	580 00			
8/11/2005	41817	8/3/2005		26	\$ 20.00	520 00			
8/11/2005	41817	8/4/2005		22	\$ 20 00	440 00			
8/11/2005	41817	8/5/2005	3	25	\$ 20.00	560 00			
8/11/2005	41817						\$ 2,640.00	29726	8/19/2005
8/15/2005	41825	8/8/2005	6	37	\$ 20 00	\$ 860 00			
8/15/2005	41825	8/9/2005		18	\$ 20.00	360 00			
8/15/2005	41825	8/10/2005	1	30	\$ 20 00	620 00			
8/15/2005	41825	8/11/2005		16	\$ 20 00	320 00			
8/15/2005	41825	8/12/2005		15	\$ 20 00	300.00			
8/15/2005	41825						\$ 2,460.00	29726	8/19/2005
8/28/2005	41830	8/15/2005	1	9	\$ 20 00	\$ 200.00			
8/28/2005	41830	8/16/2005		26	\$ 20.00	520.00			
8/28/2005	41830	8/17/2005		13	\$ 20 00	260 00			
8/28/2005	41830	8/18/2005	2	6	\$ 20 00	160 00			
8/28/2005	41830	8/19/2005		37	\$ 20 00	740 00			
8/28/2005	41830						\$ 1,880.00	29772	8/30/2005
9/13/2005	41862	9/8/2005	1	26	\$ 20 00	\$ 540 00			
9/13/2005	41862	9/7/2005		24	\$ 20 00	480 00			
9/13/2005	41862	9/8/2005	1	28	\$ 20.00	580.00			
9/13/2005	41862	9/9/2005		36	\$ 20.00	720 00			
9/13/2005	41862	9/10/2005			\$ 20 00	-			
9/13/2005	41862						\$ 2,320.00	29893	10/17/2005
9/20/2005	41868	9/12/2005		28	\$ 20.00	\$ 580.00			
9/20/2005	41868	9/13/2005		35	\$ 20 00	700 00			
9/20/2005	41868	9/14/2005		18	\$ 20 00	360 00			
9/20/2005	41868	9/15/2005		24	\$ 20 00	480 00			
9/20/2005	41868	9/16/2005	5	23	\$ 20 00	560 00			
9/20/2005	41868						\$ 2,660.00	29893	10/17/2005
9/26/2005	41872	9/19/2005		20	\$ 20.00	\$ 400.00			
9/26/2005	41872	9/20/2005		24	\$ 20 00	480 00			
9/26/2005	41872	9/21/2005		20	\$ 20 00	400 00			
9/26/2005	41872	9/22/2005	1	18	\$ 20 00	380 00			
9/26/2005	41872	9/23/2005		29	\$ 20 00	580 00			
9/26/2005	41872						\$ 2,240.00	29873	10/5/2005
10/3/2005	41878	9/26/2005	3	24	\$ 20 00	540 00			
10/3/2005	41878	9/27/2005		34	\$ 20 00	680 00			
10/3/2005	41878	9/28/2005		30	\$ 20 00	600 00			
10/3/2005	41878	9/29/2005		33	\$ 20 00	660 00			
10/3/2005	41878	9/30/2005		22	\$ 20.00	440 00			
10/3/2005	41878						2,920.00	29884	10/11/2005
10/11/2005	41885	10/3/2005	2	22	\$ 20.00	480 00			
10/11/2005	41885	10/4/2005		6	\$ 20.00	120.00			
10/11/2005	41885	10/5/2005		27	\$ 20 00	540 00			
10/11/2005	41885	10/6/2005		29	\$ 20 00	580 00			
10/11/2005	41885	10/7/2005		7	\$ 20.00	140.00			
10/11/2005	41885						1,860.00	29893	10/17/2005

PYCO Industries, Inc.
South Plains Switching Billing Analysis
\$20 Surcharge Summary

Invoice Date	Invoice Number	Service Date	Inbound Cars	Outbound Cars	Surcharge Rate	Invoiced Amount	Amount Paid	Check Number	Date Paid
10/19/2005	41893	10/10/2005	2	7	\$ 20.00	\$ 180.00			
10/19/2005	41893	10/11/2005		29	\$ 20 00	580 00			
10/19/2005	41893	10/12/2005		37	\$ 20.00	740 00			
10/19/2005	41893	10/13/2005		19	\$ 20 00	380 00			
10/19/2005	41893	10/14/2005		25	\$ 20 00	500 00			
10/19/2005	41893						\$ 2,380.00	29937	10/31/2005
10/31/2005	41899	10/17/2005		19	\$ 20 00	\$ 380 00			
10/31/2005	41899	10/18/2005		35	\$ 20 00	700 00			
10/31/2005	41899	10/19/2005		30	\$ 20 00	600 00			
10/31/2005	41899	10/20/2005		31	\$ 20 00	620 00			
10/31/2005	41899	10/21/2005		29	\$ 20 00	580 00			
10/31/2005	41899	10/24/2005	2	33	\$ 20.00	700 00			
10/31/2005	41899	10/25/2005		13	\$ 20.00	260.00			
10/31/2005	41899	10/26/2005	1	17	\$ 20 00	360 00			
10/31/2005	41899	10/27/2005		23	\$ 20.00	460 00			
10/31/2005	41899	10/28/2005		9	\$ 20.00	180 00			
10/31/2005	41899						\$ 4,840.00	29951	11/3/2005
11/14/2005	41915	10/31/2005	2	26	\$ 20 00	\$ 560 00			
11/14/2005	41915	11/1/2005		16	\$ 20 00	320 00			
11/14/2005	41915	11/2/2005		18	\$ 20.00	360 00			
11/14/2005	41915	11/3/2005		29	\$ 20 00	580.00			
11/14/2005	41915	11/4/2005	1	26	\$ 20.00	540 00			
11/14/2005	41915	11/7/2005		20	\$ 20 00	400 00			
11/14/2005	41915	11/8/2005	2	23	\$ 20 00	500 00			
11/14/2005	41915	11/9/2005		22	\$ 20 00	440 00			
11/14/2005	41915	11/10/2005		20	\$ 20 00	400 00			
11/14/2005	41915	11/11/2005		17	\$ 20.00	340 00			
11/14/2005	41915						\$ 4,440.00	115605	11/18/2005
11/30/2005	41918	11/14/2005	1	22	\$ 20 00	\$ 460 00			
11/30/2005	41918	11/15/2005		20	\$ 20 00	400 00			
11/30/2005	41918	11/16/2005	3	21	\$ 20.00	480 00			
11/30/2005	41918	11/17/2005		23	\$ 20 00	460 00			
11/30/2005	41918	11/18/2005		27	\$ 20.00	540 00			
11/30/2005	41918	11/21/2005		17	\$ 20 00	340 00			
11/30/2005	41918	11/22/2005		22	\$ 20 00	440.00			
11/30/2005	41918	11/23/2005		23	\$ 20 00	460 00			
11/30/2005	41918	11/24/2005		0	\$ 20 00	-			
11/30/2005	41918	11/25/2005		6	\$ 20 00	120 00			
11/30/2005	41918						\$ 3,700 00	116217	12/9/2005
12/6/2005	42001	11/28/2005	4	25	\$ 20 00	\$ 580.00			
12/6/2005	42001	11/29/2005	2	4	\$ 20 00	120 00			
12/6/2005	42001	11/30/2005		24	\$ 20 00	480 00			
12/6/2005	42001	12/1/2005		25	\$ 20 00	500.00			
12/6/2005	42001	12/2/2005		18	\$ 20.00	360 00			
12/6/2005	42001						\$ 2,040.00	30083	12/14/2005
12/12/2005	42012	12/5/2005		27	\$ 20 00	\$ 540 00			
12/12/2005	42012	12/6/2005		17	\$ 20 00	340 00			
12/12/2005	42012	12/7/2005		17	\$ 20 00	340.00			

PYCO Industries, Inc.
South Plains Switching Billing Analysis
\$20 Surcharge Summary

Invoice Date	Invoice Number	Service Date	Inbound Cars	Outbound Cars	Surcharge Rate	Invoiced Amount	Amount Paid	Check Number	Date Paid
12/12/2005	42012	12/8/2005	1	18	\$ 20 00	380 00			
12/12/2005	42012	12/9/2005		6	\$ 20 00	120 00			
12/12/2005	42012						\$ 1,720.00	116448	12/16/2005
12/22/2005	42016	12/12/2005		6	\$ 20 00	\$ 120.00			
12/22/2005	42016	12/13/2005		19	\$ 20 00	380 00			
12/22/2005	42016	12/14/2005		19	\$ 20 00	380 00			
12/22/2005	42016	12/15/2005		22	\$ 20 00	440 00			
12/22/2005	42016	12/16/2005	4	16	\$ 20.00	400 00			
12/22/2005	42016						\$ 1,720.00	116798	12/30/2005
1/3/2006	42107	12/26/2005		25	\$ 20 00	\$ 500 00			
1/3/2006	42107	12/27/2005	1	9	\$ 20 00	200 00			
1/3/2006	42107	12/28/2005		30	\$ 20 00	600 00			
1/3/2006	42107	12/29/2005		23	\$ 20 00	460 00			
1/3/2006	42107	12/30/2005		23	\$ 20.00	460 00			
1/3/2006	42107						\$ 2,220.00	30137	1/6/2006
12/26/2005	42102	12/19/2005	1	32	\$ 20 00	\$ 660.00			
12/26/2005	42102	12/20/2005		7	\$ 20 00	140 00			
12/26/2005	42102	12/21/2005	1	7	\$ 20 00	160 00			
12/26/2005	42102	12/22/2005		29	\$ 20.00	580 00			
12/26/2005	42102	12/23/2005	2	20	\$ 20 00	440.00			
12/26/2005	42102						\$ 1,980.00	117239	1/12/2006
1/11/2006	42110	1/2/2006		25	\$ 20 00	\$ 500 00			
1/11/2006	42110	1/3/2006		20	\$ 20 00	400 00			
1/11/2006	42110	1/4/2006		28	\$ 20 00	560 00			
1/11/2006	42110	1/5/2006		17	\$ 20 00	340 00			
1/11/2006	42110	1/6/2006	3	20	\$ 20 00	460 00			
1/11/2006	42110						\$ 2,260.00	30160	1/16/2006
							\$ 84,300.00		

PYCO Industries, Inc.
South Plains Switching Billing Analysis
\$150 Placement Charges Summary

Invoice Date	Invoice Number	Service Date	Cars Requested	Cars Placed	Rate Charged	Invoiced Amount	Amount Paid	Check Number	Date Paid
11/29/2005	41916	11/21/2005	22	22	150.00	3,300 00			
11/29/2005	41916	11/22/2005	22	18	150 00	2,700 00			
11/29/2005	41916	11/23/2005	22	21	150.00	3,150 00			
11/29/2005	41916						\$ 9,150.00	116217	12/9/2005
12/7/2005	42003	11/28/2005	12	11	150.00	1,650.00			
12/7/2005	42003	11/29/2005	26	26	150 00	3,900 00			
12/7/2005	42003	11/30/2005	24	12	150 00	1,800 00			
12/7/2005	42003	12/1/2005	20	20	150.00	3,000 00			
12/7/2005	42003	12/2/2005	17	27	150 00	4,050 00			
12/7/2005	42003						14,400.00	30083	12/14/2005
12/12/2005	42014	12/5/2005	21	22	150 00	3,300 00			
12/12/2005	42014	12/6/2005	26	26	150.00	3,900 00			
12/12/2005	42014	12/7/2005	8	4	150 00	600.00			
12/12/2005	42014	12/8/2005	12	8	150.00	1,200.00			
12/12/2005	42014	12/9/2005	16	4	150 00	600 00			
12/12/2005	42014						9,600.00	116448	12/16/2005
12/22/2005	42015	12/12/2005	1	1	150.00	150 00			
12/22/2005	42015	12/13/2005	25	21	150 00	3,150.00			
12/22/2005	42015	12/14/2005	26	21	150 00	3,150 00			
12/22/2005	42015	12/15/2005	22	22	150 00	3,300.00			
12/22/2005	42015	12/16/2005	14	4	150.00	600 00			
12/22/2005	42015						10,350.00	116798	12/30/2005
1/3/2006	42106	12/26/2005	31	31	150.00	4,650 00			
1/3/2006	42106	12/27/2005	11	12	150 00	1,800 00			
1/3/2006	42106	12/28/2005	24	24	150 00	3,600.00			
1/3/2006	42106	12/29/2005	26	26	150 00	3,900 00			
1/3/2006	42106	12/30/2005	24	24	150.00	3,600 00			
1/3/2006	42106						17,550.00	30137	1/6/2006
12/26/2005	42101	12/19/2005	9	11	150.00	1,650 00			
12/26/2005	42101	12/20/2005	8	8	150 00	1,200 00			
12/26/2005	42101	12/21/2005			150 00	-			
12/26/2005	42101	12/22/2005	27	27	150.00	4,050 00			
12/26/2005	42101	12/23/2005	22	22	150 00	3,300.00			
12/26/2005	42101						10,200.00	117239	1/12/2006
1/11/2006	42109	1/2/2006	26	26	150 00	3,900.00			
1/11/2006	42109	1/3/2006	25	25	150 00	3,750 00			
1/11/2006	42109	1/4/2006	24	24	150 00	3,600 00			
1/11/2006	42109	1/5/2006	14	14	150 00	2,100 00			
1/11/2006	42109	1/6/2006	26	24	150 00	3,600 00			
1/11/2006	42109						16,950.00	30160	1/16/2006
1/17/2006	42115	1/9/2006	23	23	150 00	3,450 00			
1/17/2006	42115	1/10/2006	22	21	150.00	3,150.00			
1/17/2006	42115	1/11/2006	26	12	150.00	1,800.00			
1/17/2006	42115	1/12/2006	24	8	150 00	1,200.00			
1/17/2006	42115	1/13/2006	22	10	150 00	1,500 00			
1/17/2006	42115						11,100.00	30180	1/20/2006

\$ 99,300.00

Customer: USD United States Col

Invoice: 512592 DOUBLE B LLP

Vendor	Invoice	Inv Date	Per Date	Paymont	Prnt Cash	Payment Amount	Discount Amount	L H Net Payment Amount
CA 29938	124596	11/01/05	11/01/05	29938 MAN PNOP		869 04	0 00	869 04 ✓
Voucher	124596	11/08/05	11/08/05	29969 MAN PNOP		3,716 67	0 00	3,716 67 ✓
CA 29984	125617	11/10/05	11/10/05	29984 MAN PNOP		2,330 70	0 00	2,330 70 ✓
Voucher	125617	11/10/05	11/10/05	29984 MAN PNOP		2,330 70	0 00	2,330 70 ✓
CA 29993	126222	11/14/05	11/14/05	29993 MAN PNOP		1,387 92	0 00	1,387 92 ✓
Voucher	126222	11/23/05	11/23/05	30011 MAN PNOP		18,108 21	0 00	18,108 21 ✓
CA 30011	127683	12/12/05	12/12/05	30076 MAN PNOP		3,644 43	0 00	3,644 43 ✓
Voucher	127683	12/12/05	12/12/05	30076 MAN PNOP		3,644 43	0 00	3,644 43 ✓
CA 30076	128956	11/28/05	12/02/05	115981 SYS PNOP		10,780 09	0 00	10,780 09 ✓
Voucher	128956	11/28/05	12/02/05	115981 SYS PNOP		10,780 09	0 00	10,780 09 ✓
20051128	128015	11/28/05	01/13/06	117119 SYS PNOP		17,664 72	0 00	17,664 72 ✓
Voucher	128015	11/28/05	01/13/06	117119 SYS PNOP		17,664 72	0 00	17,664 72 ✓
20051128A	131709	12/01/05	12/23/05	116577 SYS PNOP		11,595 73	0 00	11,595 73 ✓
Voucher	131709	12/01/05	12/23/05	116577 SYS PNOP		11,595 73	0 00	11,595 73 ✓
200512	130060	01/10/06	01/20/06	117317 SYS PNOP		89,044 55	0 00	89,044 55 ✓
Voucher	130060	01/10/06	01/20/06	117317 SYS PNOP		89,044 55	0 00	89,044 55 ✓
200601010	132163	01/13/06	01/20/06	117317 SYS PNOP		2,007 82	0 00	2,007 82 ✓
Voucher	132163	01/13/06	01/20/06	117317 SYS PNOP		2,007 82	0 00	2,007 82 ✓
20060106	132149	01/13/06	01/20/06	117317 SYS PNOP		9,250 15	0 00	9,250 15 ✓
Voucher	132149	01/13/06	01/20/06	117317 SYS PNOP		9,250 15	0 00	9,250 15 ✓
20060113	132140	01/13/06	02/03/06	117689 SYS PNOP		733 83	0 00	733 83 ✓
Voucher	132140	01/13/06	02/03/06	117689 SYS PNOP		733 83	0 00	733 83 ✓
20060127	133515	01/03/06	01/13/06	117119 SYS PNOP		325 26	0 00	325 26 ✓
Voucher	133515	01/03/06	01/13/06	117119 SYS PNOP		325 26	0 00	325 26 ✓
23341	131376	01/03/06	01/13/06	117119 SYS PNOP		323 83	0 00	323 83 ✓
Voucher	131376	01/03/06	01/13/06	117119 SYS PNOP		323 83	0 00	323 83 ✓
23343	131375	01/03/06	01/13/06	117119 SYS PNOP		317 33	0 00	317 33 ✓
Voucher	131375	01/03/06	01/13/06	117119 SYS PNOP		317 33	0 00	317 33 ✓
23347	131377	01/10/06	03/10/06	118578 SYS PNOP		264 10	0 00	264 10 ✓
Voucher	131377	01/10/06	03/10/06	118578 SYS PNOP		264 10	0 00	264 10 ✓
23513	136265	01/10/06	01/20/06	117317 SYS PNOP		333 84	0 00	333 84 ✓
Voucher	136265	01/10/06	01/20/06	117317 SYS PNOP		333 84	0 00	333 84 ✓
23519	132142	01/17/06	03/10/06	118578 SYS PNOP		663 95	0 00	663 95 ✓
Voucher	132142	01/17/06	03/10/06	118578 SYS PNOP		663 95	0 00	663 95 ✓
23643	136288	02/02/06	02/10/06	117885 SYS PNOP		5,556 32	0 00	5,556 32 ✓
Voucher	136288	02/02/06	02/10/06	117885 SYS PNOP		5,556 32	0 00	5,556 32 ✓
23771	134143	03/02/06	03/10/06	118578 SYS PNOP		3,954 82	0 00	3,954 82 ✓
Voucher	134143	03/02/06	03/10/06	118578 SYS PNOP		3,954 82	0 00	3,954 82 ✓
23914	136293	05/02/06	05/26/06	120163 SYS PNOP		674 50	0 00	674 50 ✓
Voucher	136293	05/02/06	05/26/06	120163 SYS PNOP		674 50	0 00	674 50 ✓
24327	141107	06/01/06	06/16/06	120585 SYS PNOP		141 57	0 00	141 57 ✓
Voucher	141107	06/01/06	06/16/06	120585 SYS PNOP		141 57	0 00	141 57 ✓
21388	142669	06/01/06	06/16/06	120585 SYS PNOP		141 57	0 00	141 57 ✓
Voucher	142669	06/01/06	06/16/06	120585 SYS PNOP		141 57	0 00	141 57 ✓

10,076.30 - Storage - Dec
7,051.02 - Storage - Nov

IMN - Storage
Feb Storage
APR Storage
MAY Storage

Currency	USD	United States Dollars	Payment	Payment	Discount	Discount	Payment
Invoice	Inv Date	Inv Date	Number	Code	Amount	Amount	Amount

Vendor	512592 DOUBLE B LLP						
5108-P/COO	04/14/06	04/28/06	119618 SYS PHOP		17,254.30	0.00	17,254.30
Voucher	139626	Proc Level AP					
5108/P/CO	03/16/06	05/05/06	119761 S/S PHOP		9,057.07	0.00	9,057.07
Voucher	140142	Proc Level AP					
5108/P/CO	07/05/06	01/28/06	121358 S/S PHOP		13,383.79	0.00	13,383.79
Voucher	144855	Proc Level AP					
...	Vendor	512592 Totals			223,384.54	0.00	223,384.54
...	Company 0001	USD Totals			223,384.54	0.00	223,384.54

Seed IN @Buck - 70,180.04

Seed Out - 123,466.35

Storage - 29,738.15

223,384.54

✓
2283.62 - MAKE Storage

**Penny Newman Grain - Whole Cottonseed
Plainview/Lubbock Contract # 55931**

Car #	Weight	Origin (Plainview / Lbk)	Date		Ticket #	\$7 / ton Transloading Fee	Date Paid PYCO credit applied per Keeley
			Shipment	Invoiced			
BN 587634	189,400	Plainview	11/30/05	12/02/05	19390	\$662.90	PYCO credit applied per Keeley
BN 585258	188,500	Plainview	11/30/05	12/02/05	19391	\$659.75	PYCO credit applied per Keeley
BN 587561	189,900	Plainview	11/30/05	12/02/05	19392	\$664.65	01/12/06
BN 587429	188,100	Plainview	11/30/05	12/02/05	19393	\$658.35	01/12/06
BN 587330	188,800	Plainview	11/30/05	12/02/05	19394	\$660.80	01/12/06
HPJX 147529	185,100	Plainview	11/30/05	12/02/05	19395	\$647.85	01/12/06
BN 586984	188,100	Plainview	11/30/05	12/02/05	19396	\$658.35	01/12/06
BN 587516	189,700	Plainview	11/30/05	12/02/05	19397	\$663.95	01/12/06
BN 587364	188,800	Plainview	11/30/05	12/02/05	19398	\$660.80	01/12/06
BN 587506	190,000	Plainview	12/01/05	12/02/05	19406	\$665.00	01/12/06
BN 587548	189,800	Plainview	12/01/05	12/02/05	19407	\$664.30	01/12/06
BN 587315	188,500	Plainview	12/01/05	12/02/05	19408	\$659.75	01/12/06
BN 585282	187,700	Plainview	12/01/05	12/02/05	19403	\$656.95	01/12/06
BN 587378	188,300	Plainview	12/01/05	12/02/05	19404	\$659.05	01/12/06
HPJX 147588	185,900	Plainview	12/01/05	12/02/05	19405	\$650.65	01/12/06
BN 587532	189,700	Plainview	12/01/05	12/05/05	19412	\$663.95	01/12/06
BN 587575	189,700	Plainview	12/01/05	12/05/05	19413	\$663.95	01/12/06
BN 587238	188,100	Plainview	12/01/05	12/05/05	19414	\$658.35	01/12/06
BN 587138	194,800	Plainview	12/01/05	12/05/05	19409	\$681.80	01/12/06
BN 585278	188,600	Plainview	12/01/05	12/05/05	19410	\$660.10	01/12/06
BN 585286	188,300	Plainview	12/01/05	12/05/05	19411	\$659.05	01/12/06
BN 587519	189,900	Plainview	12/03/05	12/14/05	19448	\$664.65	01/12/06
BN 587204	188,300	Plainview	12/03/05	12/14/05	19449	\$659.05	01/12/06
BN 587247	187,600	Plainview	12/03/05	12/14/05	19450	\$658.60	01/12/06
BN 587518	190,000	Plainview	12/03/05	12/14/05	19451	\$665.00	01/12/06
BN 587140	194,900	Plainview	12/03/05	12/14/05	19452	\$682.15	01/12/06
BN 587577	190,000	Plainview	12/05/05	12/06/05	19445	\$665.00	01/12/06
BN 587646	189,000	Plainview	12/05/05	12/06/05	19446	\$661.50	01/12/06
BN 540934	194,400	Plainview	12/05/05	12/06/05	19447	\$680.40	01/12/06
BN 587653	188,600	Plainview	12/06/05	12/14/05	19454	\$660.10	01/12/06
BN 587191	194,300	Plainview	12/06/05	12/14/05	19455	\$680.05	01/12/06
BN 587692	189,800	Plainview	12/06/05	12/14/05	19456	\$664.30	01/12/06
BN 587587	188,800	Plainview	12/06/05	12/14/05	19457	\$660.80	01/12/06
BN 587509	189,700	Plainview	12/06/05	12/14/05	19458	\$663.95	01/12/06
HPJX 147603	185,000	Plainview	12/06/05	12/14/05	19459	\$647.50	01/12/06
BN 587132	194,600	Plainview	12/06/05	12/14/05	19460	\$681.10	01/12/06
BN 587080	194,500	Plainview	12/08/05	12/12/05	19473	\$680.75	01/12/06
BN 587618	189,500	Plainview	12/08/05	12/12/05	19474	\$663.25	01/12/06
BN 585262	188,300	Plainview	12/08/05	12/12/05	19475	\$659.05	01/12/06
BN 587439	188,200	Plainview	12/08/05	12/12/05	19470	\$658.70	01/12/06
BN 587694	189,400	Plainview	12/08/05	12/12/05	19471	\$662.90	01/12/06
BN 585284	187,600	Plainview	12/08/05	12/12/05	19472	\$656.60	01/12/06
BN 587232	188,500	Plainview	12/08/05	12/12/05	19466	\$659.75	01/12/06
BN 585270	187,700	Plainview	12/08/05	12/12/05	19467	\$656.95	01/12/06
BN 587197	194,700	Plainview	12/08/05	12/12/05	19468	\$681.45	01/12/06
BN 587154	194,200	Plainview	12/08/05	12/12/05	19463	\$679.70	01/12/06
BN 587005	194,700	Plainview	12/08/05	12/12/05	19464	\$681.45	01/12/06
BNSF 541099	194,900	Plainview	12/08/05	12/12/05	19465	\$682.15	01/12/06
BNSF 541409	188,200	Plainview	12/12/05	12/16/05	19633	\$658.70	01/12/06

**Penny Newman Grain - Whole Cottonseed
Plainview/Lubbock Contract # 55931**

Car #	Weight	Origin (Plainview / Lbk)	Date		Ticket #	\$7 / ton Transloading Fee	Date Paid
			Shipment	Invoiced			
BN 587351	188,400	Plainview	12/12/05	12/16/05	19632	\$659.40	01/12/06
BN 585316	188,500	Plainview	12/12/05	12/16/05	19631	\$659.75	01/12/06
BN 587226	188,100	Plainview	12/12/05	12/16/05	19627	\$658.35	01/12/06
BN 587591	189,100	Plainview	12/12/05	12/16/05	19626	\$661.85	01/12/06
BN 587645	188,200	Plainview	12/12/05	12/16/05	19625	\$658.70	01/12/06
BN 587360	188,200	Plainview	12/12/05	12/16/05	19630	\$658.70	01/12/06
BN 587288	188,600	Plainview	12/12/05	12/16/05	19629	\$660.10	01/12/06
BN 585223	187,600	Plainview	12/12/05	12/16/05	19628	\$658.60	01/12/06
BNSF 541116	194,100	Plainview	12/12/05	12/16/05	19624	\$679.35	01/12/06
BN 587254	187,900	Plainview	12/14/05	12/16/05	19712	\$657.65	01/12/06
BN 587365	188,900	Plainview	12/15/05	12/19/05	19740	\$661.15	01/12/06
BN 587058	194,100	Plainview	12/15/05	12/19/05	19739	\$679.35	01/12/06
BN 587105	193,600	Plainview	12/15/05	12/19/05	19743	\$677.60	01/12/06
BN 587399	188,600	Plainview	12/15/05	12/19/05	19742	\$660.10	01/12/06
BN 587299	188,400	Plainview	12/15/05	12/19/05	19741	\$659.40	01/12/06
BN 587305	187,500	Plainview	12/15/05	12/19/05	19746	\$656.25	01/12/06
BN 585207	187,700	Plainview	12/15/05	12/19/05	19745	\$656.95	01/12/06
BN 587041	194,100	Plainview	12/15/05	12/19/05	19744	\$679.35	01/12/06
BN 585299	188,600	Plainview	12/17/05	12/23/05	19792	\$660.10	01/12/06
BN 587302	188,700	Plainview	12/17/05	12/23/05	19795	\$660.45	01/12/06
BN 587067	194,500	Plainview	12/18/05	12/23/05	19798	\$680.75	01/12/06
BN 587213	188,100	Plainview	12/17/05	12/23/05	19789-A	\$658.35	01/12/06
BN 585247	188,100	Plainview	12/17/05	12/23/05	19790	\$658.35	01/12/06
BN 587103	188,000	Plainview	12/17/05	12/23/05	19791	\$658.00	01/12/06
BN 585244	188,400	Plainview	12/17/05	12/23/05	19793	\$659.40	01/12/06
BN 587361	191,200	Plainview	12/17/05	12/23/05	19794	\$669.20	01/12/06
BN 587414	188,700	Plainview	12/17/05	12/23/05	19787	\$660.45	01/12/06
BN 587463	188,400	Plainview	12/17/05	12/23/05	19786	\$659.40	01/12/06
BN 585285	188,400	Plainview	12/17/05	12/23/05	19788	\$659.40	01/12/06
BNSF 541061	188,000	Plainview	12/17/05	12/23/05	19789-B	\$658.00	01/12/06
BN 585258	188,500	Plainview	12/21/05	12/23/05	19943	\$659.75	01/12/06
BN 587561	189,900	Plainview	12/21/05	12/23/05	19944	\$664.65	01/12/06
BN 587429	188,400	Plainview	12/21/05	12/23/05	19945	\$659.40	01/12/06
BN 587684	189,800	Plainview	12/22/05	12/23/05	19976	\$663.60	01/12/06
BN 587364	188,900	Plainview	12/22/05	12/23/05	19975	\$661.15	01/12/06
BN 586984	188,000	Plainview	12/22/05	12/23/05	19974	\$658.00	01/12/06
BN 581516	189,800	Plainview	12/22/05	12/23/05	19973	\$664.30	01/12/06
BN 587224	188,100	Plainview	12/22/05	12/23/05	19972	\$658.35	01/12/06
HPJX 147529	185,300	Plainview	12/22/05	12/23/05	19994	\$648.55	01/12/06
BN 587400	188,400	Plainview	12/23/05	12/29/05	20025	\$659.40	01/12/06
BN 587253	195,400	Plainview	12/23/05	12/29/05	20026	\$683.90	01/12/06
BN 587283	194,200	Plainview	12/23/05	12/29/05	20027	\$679.70	01/12/06
BN 587131	193,100	Plainview	12/23/05	12/29/05	20028	\$675.85	01/12/06
BN 587488	188,200	Plainview	12/27/05	12/28/05	20104	\$658.70	01/12/06
BN 585228	189,000	Plainview	12/27/05	12/28/05	20107	\$661.50	01/12/06
BN 587118	194,000	Plainview	12/27/05	12/28/05	20106	\$679.00	01/12/06
BN 587635	189,600	Plainview	12/27/05	12/28/05	20105	\$663.60	01/12/06
BN 587580	189,700	Plainview	12/27/05	12/28/05	20110	\$663.95	01/12/06
BN 587442	188,200	Plainview	12/27/05	12/28/05	20109	\$658.70	01/12/06
BN 587033	194,100	Plainview	12/27/05	12/28/05	20108	\$679.35	01/12/06
BN 587179	194,000	Plainview	12/27/05	12/28/05	20082	\$679.00	01/12/06

**Penny Newman Grain - Whole Cottonseed
Plainview/Lubbock Contract # 55931**

Car #	Weight	Origin (Plainview / Lbk)	Date		Ticket #	\$7 / ton Transloading Fee	Date Paid
			Shipment	Invoiced			
BN 587324	190,200	Plainview	12/27/05	12/28/05	20078	\$665.70	01/12/06
BN 587230	188,400	Plainview	12/27/05	12/28/05	20077	\$659.40	01/12/06
BN 587097	194,400	Plainview	12/27/05	12/28/05	20076	\$680.40	01/12/06
BN 587672	189,700	Plainview	12/27/05	12/28/05	20081	\$663.95	01/12/06
BN 587374	189,800	Plainview	12/27/05	12/28/05	20080	\$664.30	01/12/06
BN 587306	189,900	Plainview	12/27/05	12/28/05	20079	\$664.65	01/12/06
BN 587239	188,300	Plainview	12/29/06	01/09/06	20169	\$659.05	01/12/06
BN 585242	188,900	Plainview	12/29/06	01/09/06	20165	\$661.15	01/12/06
BN 587645	189,200	Plainview	01/04/06	01/09/06	20310	\$662.20	01/12/06
BN 587591	189,400	Plainview	01/04/06	01/09/06	20311	\$662.90	01/12/06
BN 585270	187,800	Plainview	01/04/06	01/09/06	20312	\$657.30	01/12/06
BN 587060	195,500	Plainview	01/04/06	01/09/06	20305	\$684.25	01/12/06
BN 587132	194,400	Plainview	01/04/06	01/09/06	20303	\$680.40	01/12/06
BN 587607	189,600	Plainview	01/04/06	01/09/06	20304	\$663.60	01/12/06
BN 585262	188,300	Plainview	01/04/06	01/09/06	20308	\$659.05	01/12/06
BN 587439	188,500	Plainview	01/04/06	01/09/06	20307	\$659.75	01/12/06
BN 585284	187,600	Plainview	01/04/06	01/09/06	20306	\$656.80	01/12/06
BN 587197	194,700	Plainview	01/05/06	01/09/06	20322	\$681.45	01/12/06
BN 587080	194,700	Plainview	01/05/06	01/09/06	20323	\$681.45	01/12/06
BN 587618	189,500	Plainview	01/05/06	01/09/06	20324	\$663.25	01/12/06
BN 587380	188,400	Plainview	01/05/06	01/09/06	20313	\$659.40	01/12/06
BNSF 541409	188,500	Plainview	01/05/06	01/09/06	20316	\$659.75	01/12/06
BN 587351	188,500	Plainview	01/05/06	01/09/06	20315	\$659.75	01/12/06
BN 585316	188,500	Plainview	01/05/06	01/09/06	20314	\$659.75	01/12/06
BN 585223	187,600	Plainview	01/06/06	01/09/06	20319	\$656.60	01/12/06
BN 587288	188,700	Plainview	01/05/06	01/09/06	20318	\$660.45	01/12/06
HPJX 147588	186,000	Plainview	01/05/06	01/09/06	20317	\$651.00	01/12/06
BN 587687	189,600	Plainview	01/05/06	01/13/06	20325	\$663.60	01/16/06
BN 587659	189,600	Plainview	01/05/06	01/13/06	20326	\$663.60	01/16/06
BN 587031	194,800	Plainview	01/06/06	01/09/06	20354	\$681.80	01/12/06
BN 587259	188,800	Plainview	01/06/06	01/09/06	20353	\$660.80	01/12/06
BN 587050	194,600	Plainview	01/06/06	01/09/06	20352	\$681.10	01/12/06
BN 587496	188,200	Plainview	01/06/06	01/09/06	20357	\$658.70	01/12/06
BN 587098	194,200	Plainview	01/06/06	01/09/06	20356	\$679.70	01/12/06
BN 585314	187,800	Plainview	01/06/06	01/09/06	20355	\$657.30	01/12/06
BN 585274	188,200	Plainview	01/09/06	01/13/06	20381	\$658.70	01/16/06
BN 587644	189,700	Plainview	01/09/06	01/13/06	20382	\$663.95	01/16/06
BN 585226	188,500	Plainview	01/09/06	01/13/06	20386	\$659.75	01/16/06
BN 587446	188,400	Plainview	01/10/06	01/10/06	20567	\$659.40	01/16/06
BN 587272	188,100	Plainview	01/10/06	01/10/06	20566	\$658.35	01/16/06
BN 587592	189,500	Plainview	01/10/06	01/10/06	20569	\$663.25	01/16/06
BN 585265	188,800	Plainview	01/10/06	01/10/06	20568	\$660.10	01/16/06
BN 587265	188,100	Plainview	01/09/06	01/10/06	20440	\$658.35	01/12/06
BN 587173	193,300	Plainview	01/09/06	01/10/06	20439	\$676.55	01/12/06
BN 587401	188,200	Plainview	01/09/06	01/10/06	20437	\$658.70	01/12/06
BN 587489	188,200	Plainview	01/12/06	01/13/06	20605	\$658.70	01/16/06
BN 587238	188,300	Plainview	01/12/06	01/13/06	20603	\$659.05	01/16/06
BN 586984	188,100	Plainview	01/13/06	01/16/06	20622	\$658.35	01/16/06
BN 587581	190,000	Plainview	01/13/06	01/16/06	20623	\$665.00	01/16/06
BN 587224	188,100	Plainview	01/13/06	01/16/06	20624	\$658.35	01/16/06
BN 587220	187,800	Plainview	01/20/06	01/23/06	20679	\$657.30	01/27/06

Car #	Weight	Origin (Plainview / Lbk)	Date		Ticket #	\$7 / Ton	Date Paid
			Shipment	Invoiced		Transloading Fee	
BN 587518	189,700	Plainview	01/17/06	02/10/06	20840	\$663.95	03/03/06
BN 587072	194,500	Plainview	03/14/06	03/15/06	20837	\$680.75	04/18/06
BN 587518	190,100	Plainview	03/14/06	03/15/06	20838	\$665.35	04/18/06
BN 585266	188,800	Plainview	03/14/06	03/15/06	20839	\$680.80	04/18/06
BN 587537	189,900	Plainview	03/14/06	03/15/06	20840	\$684.65	04/18/06
BN 587389	188,500	Plainview	03/14/06	03/15/06	20841	\$659.75	04/18/06
BN 587141	194,100	Plainview	03/14/06	03/15/06	20842	\$679.35	04/18/06
BN 587535	189,700	Plainview	03/14/06	03/15/06	20843	\$663.95	04/18/06
BN 585246	188,900	Plainview	03/14/06	03/15/06	20844	\$661.15	04/18/06
BN 585299	188,300	Plainview	03/14/06	03/15/06	20845	\$659.05	04/18/06
BN 587272	188,200	Plainview	03/14/06	03/15/06	20846	\$658.70	04/18/06
BN 587333	188,300	Plainview	03/15/06	03/16/06	20853	\$659.05	04/18/06
BN 587515	190,000	Plainview	03/15/06	03/16/06	20854	\$665.00	04/18/06
BN 585263	188,200	Plainview	03/15/06	03/16/06	20855	\$658.70	04/18/06
BN 585218	188,400	Plainview	03/15/06	03/16/06	20850	\$659.40	04/18/06
BN 585330	187,900	Plainview	03/15/06	03/16/06	20851	\$657.65	04/18/06
BN 585340	189,000	Plainview	03/15/06	03/16/06	20852	\$661.50	04/18/06
BN 587220	187,800	Plainview	03/15/06	03/16/06	20856	\$657.30	04/18/06
BN 587472	188,400	Plainview	03/15/06	03/16/06	20848	\$659.40	04/18/06
BN 587296	188,500	Plainview	03/15/06	03/16/06	20849	\$659.75	04/18/06
BN 587424	188,500	Plainview	03/16/06	04/20/06	20859	\$659.75	04/26/06
BN 587359	188,700	Plainview	03/16/06	04/20/06	20860	\$660.45	04/26/06
BN 587338	187,800	Plainview	03/16/06	04/20/06	20865	\$657.30	04/26/06
BN 585313	187,800	Plainview	03/17/06	03/21/06	20867	\$657.30	04/18/06
BN 585237	189,400	Plainview	03/17/06	03/21/06	20868	\$662.90	04/18/06
BN 587687	189,300	Plainview	03/17/06	03/21/06	20871	\$662.55	04/18/06
BN 587131	193,100	Plainview	03/17/06	03/21/06	20872	\$675.85	04/18/06
BN 587138	195,000	Plainview	03/17/06	03/21/06	20873	\$682.50	04/18/06
BN 587631	189,600	Plainview	03/17/06	03/21/06	20874	\$663.60	04/18/06
BN 587202	188,100	Plainview	03/17/06	03/21/06	20875	\$658.35	04/18/06
BN 587472	188,600	Plainview	04/18/06	04/18/06	20999	\$860.10	04/26/06
BN 587296	188,700	Plainview	04/18/06	04/18/06	21000	\$660.45	04/26/06
BN 587220	187,800	Plainview	04/19/06	04/20/06	21012	\$657.30	04/26/06
BN 587424	188,500	Plainview	04/19/06	04/20/06	21013	\$659.75	04/26/06
BN 585263	188,100	Plainview	04/19/06	04/20/06	21014	\$658.35	04/26/06
						\$0.00	
						\$0.00	
						\$123,466.35	
						\$0.00	
						\$0.00	
						\$0.00	
						\$0.00	
						\$	

**Costs associated with hauling seed around the SAW
blockade of the "Wye" track using 34th Street**

Additional handling charges for double handling of the seed.
85,000 tons @ \$2.50/ton = \$212,500

Barricades
Inserting gate in the fence
Concrete work to create an entrance
\$10,000

Total \$222,500

January 2006 miscella FFA average 1.32%. This converts to 4.95% refining loss based upon a factor of $3(1.32) = 3.96$ theoretical loss multiplied by a ratio of 1.25 to convert to normal refining loss: $3.96(1.25) = 4.95\%$ normal expected refining loss.
100,000 tons seed @ 320 lbs. /ton calculated oil yield = 32,000,000 lbs. oil produced
32,000,000 multiplied by refining loss 4.95% = 1,584,000 lbs. oil lost in refining.

June and July 06 avg. FFA in miscella = 1.48%. This converts to 6.22% refining loss based upon a factor of $3(1.48) = 4.44\%$ theoretical loss multiplied by a ratio of 1.4 to convert to a normal expected refining loss of 6.22%. I used a 1.4 ratio on this calculation because of seed condition at this time of year based on historical data. Six and seven month old seed have a higher amount of free fatty acids, phosphatides, enzyme activity, color bodies and oxidation products compared to fresh new crop seed.
100,000 tons seed @ 320 lbs. /ton calculated yield = 32,000,000 lbs. oil produced.
32,000,000 multiplied by refining loss of 6.22% = 1,990,400 lbs. oil lost in refining.
 $1,990,400 - 1,584,000 \text{ lbs.} = 406,400 \text{ lbs.}$ more oil lost comparing January refining loss to June – July refining loss.
406,400 lbs. oil at 33 cents / lb = \$ 134,112 in lost revenue.