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NGFA Board Affirms Executive Committee Decision to Expel NGFA Member for Arbitration Rule Violation

At its June 11 meeting, the NGFA Executive Committee reviewed the actions of **Didion Milling Inc.**, Johnson Creek, Wis., during the recent Arbitration Case Number 1978 [*Didion Milling Inc. vs. Richard Gohlke*]. Both the original decision and appeal decision were published and enclosed with the April 18, 2002 edition of the **NGFA Newsletter**. The Executive Committee, by more than the necessary two-thirds vote, approved the expulsion of Didion Milling Inc. from membership in the National Grain and Feed Association on the basis of two violations of Arbitration Rule 9(a). Arbitration Rule 9(a) states, in relevant part: "There shall be no appeal under these rules from the decision of the Arbitration Appeals Committee. The party or parties to the appeal shall comply with the terms of the National Arbitration Appeals Committee award within fifteen (15) days from the receipt of said award."

The Executive Committee found that Didion Milling Inc. failed to comply with the terms of the National Arbitration Appeals Committee award within 15 days from its receipt. The Executive Committee further found that Didion Milling Inc. had violated the rule by appealing the decision of the Arbitration Appeals Committee to the Wisconsin state court.

Didion Milling Inc. exercised its right under the NGFA Bylaws to appeal the decision of the Executive Committee to the NGFA Board of Directors, which met and reviewed the action on Sept. 8. A motion for the vote to be by written secret ballot was approved. The subsequent Board vote affirmed the expulsion of Didion Milling Inc. by more than the necessary majority vote. Didion Milling Inc. has been notified of the expulsion decision, which was effective immediately.