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## **Firm Sues Utica Energy for \$878,000**

*by Jim Collar*  
of The Northwestern

### *Lawsuit seeks overdue payments for construction work*

A Merrill company filed suit in Winnebago County Circuit Court seeking close to \$878,000 in back payments for construction of an ethanol plant that opened earlier this year.

Agra Industries, Inc. last month filed a civil lawsuit seeking overdue payments from Utica Energy, LLC, the company formerly known as Algoma Ethanol. The civil complaint filed on July 3 states that the ethanol company was behind \$877,922 in payments and interest at the time of filing related to services rendered during the construction of the plant.

A payment schedule filed by Agra Industries shows that Utica Energy did not make payments during a period from April 23 through June 23. Attorneys for Utica Energy had not filed a response to the suit as of Tuesday afternoon. A response is due by Sunday, court documents show.

Steven Anderson, an attorney representing Agra Industries, declined to comment on the lawsuit.

Paul Olsen, president of Utica Energy, said the lawsuit follows some contractual disagreements between the companies and subcontractors that surfaced after construction of the plant. Efforts are being made to reach consensus, he said.

"We've been working on this for some time now," Olsen said. "It's really not that big of a deal."

Agra Industries provided labor, management, materials and services during construction of the plant, according to court records.

Judge Carver, who will preside over the Agra Industries case, scheduled a calendar call in the civil matter on Oct. 16.

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