Legal Issues

Issue I. Whether Nathan Shaull and Deborah Shaull had sufficient rights in the cows and calves that are the subject matter of this action to support the attachment of the security interests of American Bank & Trust and Fin-Ag, Inc., entitling American Bank & Trust to the immediate claim and delivery of the cows and calves and the proceeds thereof.

The trial court held in the affirmative.

Issue II. Whether American Bank & Trust and Fin-Ag, Inc. are estopped from asserting a security interest in the cows and calves that are the subject matter of this action.

The trial court held in the negative.

Issue III. Whether the cows and calves that are the subject matter of this action are inventory or farm products.

The trial court held the cows and calves are farm products.