

# Nebraska Judicial Branch

## Case Summary

In the District Court of Howard County  
 The Case ID is CI 15 0000071  
 Aurora Cooperative Elevator v. Anderson  
 The Honorable Karin L Noakes, presiding.  
 Classification: Contract Disputes-Open Accounts  
 Filed on 12/21/2015  
 This case is Open as of 12/21/2015

## Parties/Attorneys to the Case

Party	Attorney
<b>Plaintiff ACTIVE</b> Aurora Cooperative Elevator Company	Gregory S Frayser 233 S. 13th Street Sutie 1900 Lincoln NE 68508 402-474-6900
<b>Defendant ACTIVE</b> Reed J Anderson 1223 Elm Street Saint Paul NE 68873	Galen E Stehlik 724 W Koenig P O Box 400 Grand Island NE 68802 308-382-8010

## Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Petition	12/21/2015	\$35.00
Plaintiff	Filing Fee - State	12/21/2015	\$5.00
Plaintiff	Automation Fee	12/21/2015	\$8.00
Plaintiff	NSC Education Fee	12/21/2015	\$1.00
Plaintiff	Dispute Resolution Fee	12/21/2015	\$0.75
Plaintiff	Indigent Defense Fee	12/21/2015	\$3.00
Plaintiff	Uniform Data Analysis Fee	12/21/2015	\$1.00
Plaintiff	J.R.F.	12/21/2015	\$6.00
Plaintiff	Filing Fee-JRF	12/21/2015	\$2.00
Plaintiff	Legal Aid/Services Fund	12/21/2015	\$5.25
Plaintiff	Complete Record	12/21/2015	\$15.00
Plaintiff	Service Fees	12/31/2015	\$19.15

## Financial Activity

No trust money is held by the court  
No fee money is held by the court

## Payments Made to the Court

Receipt	Type	Date	For	Amount
9004486	Non-Monetary Rec	01/04/2016	Aurora Cooperative Ele	\$19.15
			Service Fees	\$19.15
12278	Electronic Trans	12/21/2015	Aurora Cooperative Ele	\$82.00
			Petition.	\$35.00
			Filing Fee - State	\$5.00
			Automation Fee	\$8.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$7.75
			Indigent Defense Fee	\$3.00
			Uniform Data Analysis	\$1.00
			J.R.F.	\$6.00
			Filing Fee-JRF	\$2.00
			Legal Aid/Services Fun	\$5.25
			Complete Record	\$15.00

## Register of Actions

02/17/2016 Motion-Enlargement of Time  
This action initiated by party Reed J Anderson  
Image ID N16048E66D49

02/17/2016 Appearance of Counsel  
This action initiated by party Reed J Anderson  
Image ID N16048E5YD49

01/27/2016 Motion-Default Judgment  
This action initiated by party Aurora Cooperative Elevator Compan  
Image ID N16027YTCD49

12/31/2015 Return Summons/Alias Summons  
The document number is 00003731  
Served 12/27/2015, Howard County Sheriff  
Personal Service  
Image ID D00003734D49

12/21/2015 Summons Issued on Reed J Anderson  
The document number is 00003731  
Image ID D00003731D49

12/21/2015 Complaint-Praecipe  
This action initiated by party Aurora Cooperative Elevator Compan

Image ID N15355LA0D49

IN THE DISTRICT COURT OF HOWARD COUNTY, NEBRASKA

AURORA COOPERATIVE  
ELEVATOR COMPANY, a  
Nebraska corporation,

Plaintiff,

v.

REED J. ANDERSON,

Defendant.

Case No. CI 15-\_\_\_\_

**COMPLAINT  
AND PRAECIPE**

COMES NOW Plaintiff Aurora Cooperative Elevator Company ("Aurora Cooperative"), and for its claim against Reed J. Anderson ("Debtor") states and alleges as follows:

1. Aurora Cooperative is a Nebraska corporation with its principal place of business located in Aurora, Hamilton County, Nebraska.
2. Debtor is an individual residing in Howard County, Nebraska.
3. Venue is proper in this Court pursuant to Neb. Rev. Stat. § 25-403.01(3).
4. On or before March 1, 2015, Debtor and Aurora Cooperative entered into an agreement for purchase of certain products and services by Debtor from Aurora Cooperative on open account (the "Account").
5. Pursuant to their agreement, Debtor purchased certain crop implements and contracted for certain services which Aurora Cooperative provided on credit, charging the same against the Account.
6. The terms of the agreement between Aurora Cooperative and Debtor require Debtor to pay all sums due on the Account within 30 days of invoice. All sums outstanding longer than 30 days after invoice are subject to a finance charge of equal to 16% per annum.
7. During the 2015 crop year Debtor purchased product and services from Aurora Cooperative on credit charged to the Account. True and correct copies of the

invoices provided to Debtor by Aurora Cooperative evidencing the Debtor's purchases and related finances charges are attached hereto as **Exhibits 1 through 8**.

8. Despite proper demand from Aurora Cooperative, the Debtor has failed and refused to pay the amount currently due and owing on the Account.

9. Aurora Cooperative has performed all of its obligations under the agreement of the parties and has delivered to Debtor all of the products and services charged to the Account. There remains no conditions precedent to Debtor's performance and payment on the Account.

10. Debtor is in default by his continued refusal to pay the amount due and owing on the Account.

11. As a result of Defendants' failure to pay the amount owed, Aurora Cooperative has suffered damages, and continues to suffer damage, in the amount of \$21,595.93 plus interest from and after November 30, 2015 at a rate of 16% per annum.

WHEREFORE, Aurora Cooperative respectfully requests that the Court enter judgment in its favor and against Reed J. Anderson, in the amount of \$21,595.93 plus interest from and after November 30, 2015 at a rate of 16% per annum until such amount is paid in full, for Aurora Cooperatives costs in this matter and any other such relief as the Court finds just on the premises.

Dated this 21st day of December, 2015.

AURORA COOPERATIVE ELEVATOR  
COMPANY, Plaintiff.

By: /s/ Gregory S. Frayser  
Gregory S. Frayser #24400  
CLINE WILLIAMS  
WRIGHT JOHNSON & OLDFATHER, L.L.P.  
233 S. 13<sup>th</sup> Street, Suite 1900  
Lincoln, Nebraska, 68508  
(402)474-6900

**PRAECIPE**

TO: THE CLERK OF THE DISTRICT COURT

Please issue summons, together with a copy of the Complaint in the above captioned cause, and deliver the same to the Howard County Sheriff for personal service upon the Defendant at the following address:

Reed J. Anderson  
1223 Elm Street  
Saint Paul, NE 68873-1909

Please endorse on the summons that the if the defendant fails to appear, judgment shall be entered against him in the amount of \$21,595.93 plus interest from and after November 30, 2015 at a rate of 16% per annum until such amount is paid in full, for Aurora Cooperatives costs in this matter and any other such relief as is just on the premises.

/s/ Gregory S. Frayser  
Gregory S. Frayser

ND: 4849-5554-0268, v. 1