# 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 55.56. This case is Open as of 12/21/2015

### Parties/Attorneys to the Case

Party Plaintiff ACTIVE

Aurora Cooperative Elevator Company

Defendant ACTIVE Reed J Anderson 1223 Elm Street

Saint Paul

NE 68873

Attorney

Gregory S Frayser 233 S. 13th Street Sutie 1900 Lincoln 402-474-6900 NE 68508

Galen E Stehlik 724 W Koenig P O Box 400 Grand Island 308-382-8010

NE 68802

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		

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Payments Made to the Court					
Receipt	Туре	Date ·	For	Amount	
9004486	Non-Monetary Rec	01/04/2016	Aurora Cooperative Ele	\$19.15	
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		The second secon	Petition.	\$35.00	
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			Indigent Defense Fee	\$3.00	
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## 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

Filed in Howard District Court

\*\*\* EFILED \*\*\*

Case Number: D49Cl150000071 Transaction ID: 0003172132

Filing Date: 12/21/2015 08:20:24 AM CST

## IN THE DISTRICT COURT OF HOWARD COUNTY, NEBRASKA

AURORA COOPERATIVE ELEVATOR COMPANY, a	) Case No. CI 15-
Nebraska corporation,	)
Plaintiff,	) ) ) <b>COMPLAINT</b>
v.	) AND PRAECIPE
REED J. ANDERSON,	)
Defendant.	)

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.

Despite proper demand from Aurora Cooperative, the Debtor has failed and 8.

refused to pay the amount currently due and owing on the Account.

Aurora Cooperative has performed all of its obligations under the agreement 9.

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.

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

owing on the Account.

As a result of Defendants' failure to pay the amount owed, Aurora 11.

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: <u>/s/ Gregory S. Frayser</u> 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

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#### **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.

<u>/s/ Gregory S. Frayser</u> Gregory S. Frayser

ND: 4849-5554-0268, v. 1