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## Nebraska Judicial Branch

### Case Summary

In the District Court of Douglas County  
 The Case ID is CI 13 0001889  
 Herman Trust v. Brashear, L.L.P.  
 The Honorable Timothy P Burns, presiding.  
 Classification: Contract Disputes  
 Filed on 03/07/2013  
 This case is Open as of 05/08/2015

### Parties/Attorneys to the Case

Party	Attorney
Plaintiff ACTIVE Herman Trust 1302 South 101 Street #201 Omaha NE 68124	Michael J Whaley 1500 Omaha Tower 2120 S 72nd St. Omaha NE 68124 402-392-1500
Defendant ACTIVE Brashear LLP 711 N 108 Court Omaha NE 68154	Steven D Davidson 1500 Woodmen Tower 1700 Farnam St. Omaha NE 68102 402-344-0500

### Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Petition	03/07/2013	\$35.00
Plaintiff	Filing Fee - State	03/07/2013	\$5.00
Plaintiff	Automation Fee	03/07/2013	\$8.00
Plaintiff	NSC Education Fee	03/07/2013	\$1.00
Plaintiff	Dispute Resolution Fee	03/07/2013	\$0.75
Plaintiff	Indigent Defense Fee	03/07/2013	\$3.00
Plaintiff	Uniform Data Analysis Fee	03/07/2013	\$1.00
Plaintiff	J.R.F.	03/07/2013	\$6.00
Plaintiff	Filing Fee-JRF	03/07/2013	\$2.00
Plaintiff	Legal Aid/Services Fund	03/07/2013	\$5.25
Plaintiff	Complete Record	03/07/2013	\$15.00
Defendant	Bill of Exceptions	11/06/2013	\$94.25
Defendant	Sup Ct Filing Fee	10/15/2013	\$125.00

Incurring By	Account	Date	Amount
Defendant	Appeal Transcript Fee	10/29/2013	\$13.25
Defendant	Sup Ct Cost Bond	10/15/2013	\$75.00

### 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
9008718	Non-Monetary Rec	05/12/2015	Brashear LLP	\$75.00
			Sup Ct Cost Bond	\$75.00
118735	Check	11/07/2013	Brashear LLP	\$13.25
			Appeal Transcript Fee	\$13.25
115959	Electronic Trans	10/15/2013	Brashear LLP	\$200.00
			Sup Ct Filing Fee	\$125.00
			Sup Ct Cost Bond	\$75.00
88924	Electronic Trans	03/07/2013	Herman Trust	\$82.00
			Petition	\$35.00
			Filing Fee - State	\$5.00
			Automation Fee	\$8.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$.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

### Payments Made by the Court

Check	Date	To	Amount
39538	05/12/2015	Davidson, Steven, D,	\$75.00
9000331	10/16/2013	Nebraska Supreme Court	\$125.00

Register of Actions

04/25/2016 Order-Hearing  
This action initiated by Timothy P Burns  
re: status check 5-27-16 1:45 PM #502 eNotice Certificate Attached  
Image ID 001306105D01

02/09/2016 Amended Notice of Hearing  
This action initiated by party Herman Trust  
re: ptc 3-25-16 1:00 PM #502 jm  
Image ID N16040JO2D01

11/06/2015 Pretrial Conference  
2-10-16 11:00 AM

11/06/2015 Signed Scheduling Order  
This action initiated by Timothy P Burns  
eNotice Certificate Attached  
Image ID 001216496D01

06/11/2015 Pretrial Conference  
8-12-15 @ 11:00

06/11/2015 Signed Scheduling Order  
This action initiated by Timothy P Burns  
eNotice Certificate Attached  
Image ID J00310132D01

05/26/2015 Proposed Scheduling Order  
This action initiated by Michael J Whaley  
Image ID 001151284D01

05/11/2015 Judgment on Mandate  
This action initiated by Timothy P Burns  
eNotice Certificate Attached  
Image ID J00302369D01

*Order for costs to  
appellant (Braska  
appear to be pd*

05/11/2015 Notice Issued  
The document number is 00320719  
Notice of Intent to Dismiss  
James P Waldron jwaldron@grosswelch.com  
Image ID D00320719D01

05/11/2015 Notice Issued  
The document number is 00320718  
Notice of Intent to Dismiss  
Steven D Davidson sdavidson@bairdholm.com

Image ID D00320718D01

05/08/2015 Mandate Within Case  
A-13-0896  
Image ID 001075796D01

*- costs of 125. -*

02/17/2015 Opinion-Appellate Court  
A-13-0986  
Image ID 001075370D01

*C - dism'd appeal  
Case still pending*

02/28/2014 Praeipce-Supp Appeal Transcript  
This action initiated by party Herman Trust  
Image ID N14059RDQD01

11/06/2013 Bill of Exceptions  
This action initiated by party Brashear LLP

VOL I  
Image ID 000939883D01

10/29/2013 Transcript  
This action initiated by party Brashear LLP

10/16/2013 Appellate Court Letter of Acceptanc  
Court of Appeals Case Number: A-13-000896  
Image ID D00223254D01

10/16/2013 Note from Court Staff  
notice of appeal etc sent to judge and bailiff

10/16/2013 Cert-Supreme Ct/Crt of App'ls  
Image ID D00223203D01

10/15/2013 Notice Filed  
This action initiated by party Brashear LLP  
cash bond  
Image ID N132881QZD01

10/15/2013 Praecipe-BOE  
This action initiated by party Brashear LLP  
Image ID N132881QXD01

10/15/2013 Praecipe-Appeal Transcript  
This action initiated by party Brashear LLP  
Image ID N132881QSD01

10/15/2013 Appeal within Case  
This action initiated by party Brashear LLP  
Image ID N132881QKD01

10/11/2013 Order  
This action initiated by Timothy P Burns  
defs' motion dismiss overruled/denied  
Image ID J00182630D01

09/04/2013 Order  
This action initiated by Timothy P Burns  
protective order  
Image ID J00141923D01

09/03/2013 Notice-Service  
This action initiated by party Brashear LLP  
discovery  
Image ID N13246LCHD01

09/03/2013 Case Manually Assigned  
Previous Judge 16741; New Judge 17652; User ID C0126003

08/15/2013 Amended Notice of Hearing  
This action initiated by party Brashear LLP  
10 01 13 300pm CR 02  
Image ID N132271YCD01

06/25/2013 Notice-Serving Documents  
This action initiated by party Brashear LLP

copy of discovery was mailed  
Image ID N13176IMCD01

05/28/2013 Order  
This action initiated by Gary B Randall  
Judge Randall recused

Image ID J00140274D01

04/22/2013 Order  
This action initiated by W. Mark Ashford  
reassigning case  
Image ID J00140163D01

04/19/2013 Order  
This action initiated by J. Russell Derr  
case reassigned  
Image ID J00140760D01

04/17/2013 Motion-Dismiss  
This action initiated by party Brashear LLP  
6/24/2013 1:15 #11  
Image ID N13107JATD01

03/20/2013 Voluntary Appearance  
This action initiated by party Brashear LLP  
Image ID N13079P5XD01

03/07/2013 Complaint-Praecipe  
This action initiated by party Herman Trust  
\*\*No Praecipe filed\*\*  
Image ID N13066AZCD01

C

## Judges Notes

08/12/2013  
08-12-2013 Polk  
The Court Administrator is directed to reassign this case to Judge  
Burns.  
08/30/2013  
08-30-2013 Burns  
signed protective order  
10/10/2013  
10-10-2013 Burns  
signed order  
08/12/2015  
08-12-2015 Burns  
PT hearing cont to 11/4/15 at 9:00 a.m.  
06/30/2016  
06-30-2016 Burns  
Parties appeared by counsel. Matter continued to Aug 1, 2016 at 10:00  
a.m. Matter is most likely settled.