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## Nebraska Judicial Branch

### Case Summary

In the District Court of Douglas County  
 The Case ID is CI 13 0001898  
 Herman Trust v. Kermit A Brashear  
 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 S 101 Street #201 Omaha NE 68124	Michael J Whaley 1500 Omaha Tower 2120 S 72nd St. Omaha NE 68124 402-392-1500
Defendant ACTIVE Kermit A Brashear 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	10/31/2013	\$15.00
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
9008720	Non-Monetary Rec	05/12/2015	Brashear, Kermit, A	\$75.00
			Sup Ct Cost Bond	\$75.00
118747	Check	11/07/2013	Brashear, Kermit, A	\$15.00
			Appeal Transcript Fee	\$15.00
115960	Electronic Trans	10/15/2013	Brashear, Kermit, A	\$200.00
			Sup Ct Filing Fee	\$125.00
			Sup Ct Cost Bond	\$75.00
88936	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
39539	05/12/2015	Davidson, Steven, D,	\$75.00
9000332	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 jm eNotice Certificate Attached  
Image ID 001306113D01

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 N16040JOKD01

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 001216502D01

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 J00310138D01

05/26/2015 Proposed Scheduling Order  
Image ID 001151281D01

05/11/2015 Judgment on Mandate  
This action initiated by Timothy P Burns  
eNotice Certificate Attached  
Image ID J00302372D01

05/11/2015 Notice Issued  
The document number is 00320721  
Notice of Intent to Dismiss  
James P Waldron jwaldron@grosswelch.com  
Image ID D00320721D01

05/11/2015 Notice Issued  
The document number is 00320720  
Notice of Intent to Dismiss  
Steven D Davidson sdavidson@bairdholm.com  
Image ID D00320720D01

05/08/2015 Mandate within Case  
A-13-0897  
Image ID 001075797D01

02/17/2015 Opinion-Appellate Court  
A-13-0897  
Image ID 001075373D01

02/28/2014 Praecipe-Supp Appeal Transcript  
This action initiated by party Herman Trust  
Image ID N14059RDWD01

11/06/2013 Bill of Exceptions  
This action initiated by party Kermit A Brashear  
VOL I

Image ID 000939877D01

10/31/2013 Transcript  
This action initiated by party Kermit A Brashear

10/16/2013 Appellate Court Letter of Acceptanc  
Court of Appeals Case Number: A-13-000897  
Image ID D00223259D01

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

10/16/2013 Cert-Supreme Ct/Crt of Appls  
Image ID D00223206D01

10/15/2013 Notice Filed

This action initiated by party Kermit A Brashear  
cash bond  
Image ID N132881RFD01

10/15/2013 Praecipe-BOE  
This action initiated by party Kermit A Brashear  
Image ID N132881RCD01

10/15/2013 Praecipe-Appeal Transcript  
This action initiated by party Kermit A Brashear  
Image ID N132881R6D01

10/15/2013 Appeal within Case  
This action initiated by party Kermit A Brashear  
Image ID N132881R5D01

10/11/2013 Order  
This action initiated by Timothy P Burns  
defs' motions dismiss overruled/denied  
Image ID J00182633D01

09/04/2013 Order  
This action initiated by Timothy P Burns  
re; protective order  
Image ID J00141917D01

09/03/2013 Notice-Service  
This action initiated by party Kermit A Brashear  
discovery  
Image ID N13246LCRD01

09/03/2013 Case Manually Assigned

Previous Judge 13677; New Judge 17652; User ID C0126003

08/15/2013 Amended Notice of Hearing  
This action initiated by party Kermit A Brashear  
10 01 13 300pm CR 02  
Image ID N132271Y1D01

07/25/2013 Order  
This action initiated by Gregory M Schatz  
of recusal & case reassigned

Image ID J00160713D01

06/25/2013 Notice-Serving Documents  
This action initiated by party Kermit A Brashear  
copy of discovery was mailed  
Image ID N13176IMVD01

04/19/2013 Order  
This action initiated by w. Mark Ashford  
reassigning case  
Image ID J00140758D01

04/17/2013 Motion-Dismiss  
This action initiated by party Kermit A Brashear  
AS TO AMENDED COMPLAINT ONLY  
6/18/2013 11:00 #12  
Image ID N13107J6KD01

04/16/2013 Amended Complaint  
This action initiated by party Herman Trust  
Image ID N13106H4GD01

03/20/2013 Voluntary Appearance  
This action initiated by party Kermit A Brashear  
Image ID N13079P6ED01

03/07/2013 Complaint-Praecipe  
This action initiated by party Herman Trust  
No Praecipe  
Image ID N13066B0BD01

## Judges Notes

07/23/2013  
07-23-2013 Schatz  
Signed Order of Recusal.  
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  
order signed  
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 cont to 8-1-16 at 10:00. Matter  
is likely settled.