

Nebraska Judicial Branch

Case Summary

In the County Court of Scotts Bluff County
 The Case ID is CI 19 0000541
 The Chicago Lumber Co. of Oma v. Sterkel
 The Honorable James Worden, presiding.
 Classification: Contract-Unspecified
 Filed on 04/15/2019
 This case is Open as of 04/15/2019

Parties/Attorneys to the Case

<p>Party Plaintiff ACTIVE The Chicago Lumber Co. of Omaha 1725 East Overland Scottsbluff NE 69361</p> <p>Alias is Century Lumber Center Scottsbluff Defendant ACTIVE Rod Sterkel 2370 13th Street Gering NE 69341</p>	<p>Attorney Angela L Burmeister 1301 S 75th Street, Suite 100 Omaha NE 68124 402-827-7000</p>
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Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Filing Fees	04/15/2019	\$14.00
Plaintiff	NSC Education Fee	04/15/2019	\$1.00
Plaintiff	Dispute Resolution Fee	04/15/2019	\$0.75
Plaintiff	Indigent Defense Fee	04/15/2019	\$3.00
Plaintiff	Uniform Data Analysis Fee	04/15/2019	\$1.00
Plaintiff	J.R.F.	04/15/2019	\$6.00
Plaintiff	Filing Fee/JRF	04/15/2019	\$6.00
Plaintiff	Legal Aid/Services Fund	04/15/2019	\$6.25
Plaintiff	Automation Fee	04/15/2019	\$8.00
Plaintiff	Service Fee-Ppd	05/10/2019	\$6.80
Plaintiff	Service Fee-Ppd	05/28/2019	\$27.76

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
296613	Electronic Trans	04/15/2019	The Chicago Lumber Co.	\$46.00
			Filing Fees	\$14.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$0.75
			Indigent Defense Fee	\$3.00
			Uniform Data Analysis	\$1.00
			J.R.F.	\$6.00
			Filing Fee/JRF	\$6.00

Receipt	Type	Date	For	Amount
			Legal Aid/Services Fun	\$6.25
			Automation Fee	\$8.00

Register of Actions

05/28/2019 Return-Summons
The document number is 00618329
Served 05/20/2019, Scotts Bluff County Sheriff

Personal Service
Image ID D00621025C21

05/10/2019 Summons Issued on Rod Sterkel
The document number is 00618329
Image ID D00618329C21

05/10/2019 Praecipe-Summons
This action initiated by party The Chicago Lumber Co. of Omaha
ALIAS
Image ID N19130Y7EC21

05/10/2019 Return-Summons
The document number is 00614267
Served Dt Unknown
No Service

Image ID N19130Y6GC21

04/15/2019 Summons Issued on Rod Sterkel
The document number is 00614267
Summons e-mailed
Image ID D00614267C21

04/15/2019 Complaint-Praecipe
This action initiated by party The Chicago Lumber Co. of Omaha
Image ID N19105996C21

IN THE COUNTY COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

CENTURY LUMBER CENTER OF)
SCOTTSBLUFF, a division of the)
CHICAGO LUMBER COMPANY OF)
OMAHA, INC., a Nebraska corporation,)

Plaintiff,)

v.)

ROD STERKEL,)

Defendant.)

CASE NO.: CI19-_____

COMPLAINT

COMES NOW THE Plaintiff, CENTURY LUMBER CENTER OF SCOTTSBLUFF, a division of THE CHICAGO LUMBER COMPANY OF OMAHA, by and through its undersigned counsel, and for its cause of action against the Defendants states and alleges as follows:

1. That the Plaintiff is a Nebraska corporation with one of its principal places of business in Scotts Bluff County, Nebraska, at the time this claim arose.
2. That the Defendant, ROD STERKEL, an individual, is and at all pertinent times hereto was, resident of Gering, Scotts Bluff County, Nebraska.

Count I: Breach of Contract

3. That Plaintiff and Defendant transacted business on an open account under which Defendant purchased various materials and other supplies from Plaintiff. That Defendant made purchases under said Agreement for which payment has not been made.
4. That the Agreement between the Plaintiff and Defendant included the provision that all accounts are charged an annual percentage rate of 16%.
5. That Defendant has failed to make payment in accordance with the terms of said contract, such failure constituting breach of contract.

6. That Plaintiff has exercised its right to accelerate all remaining payments, making them immediately due and owing.

7. That the Plaintiff has made due demand upon the Defendant for ninety (90) days prior hereto for payment of the balance of said account, but the Defendant has failed and refused, and continues to fail and refuse to make payment.

Count II: Account Stated

8. The Plaintiff realleges the allegations set forth in paragraphs 1 through 7 and incorporates them herein by reference.

9. That from time to time, Plaintiff made and rendered to Defendant accurate invoices and/or statements of account of the transactions between said parties. Said invoices and/or statements of account were received by Defendant, accepted and retained by said Defendant without objection being made to any item thereof within a reasonable period of time.

10. In furtherance of the charges made and cash advances taken, a full, just, and true account was made and stated between Plaintiff and Defendant, which showed a balance of \$2,985.77 due to Plaintiff from Defendant over and above all sums received from Defendant and for which Defendant is entitled to credit.

11. That although duly demanded, no part or portion thereof has been paid.

WHEREFORE, Plaintiff prays for a judgment against the Defendant in the amount of \$2,985.77, together with interest at the rate of sixteen percent (16%) per annum from December 28, 2018 until paid in full, costs of this action, and a reasonable attorney's fee.

Dated this 12th day of April, 2019.

CENTURY LUMBER CENTER
SCOTTSBLUFF, a division of the CHICAGO
LUMBER COMPANY OF OMAHA, Plaintiff

By: /s/ Angela L. Burmeister
Angela L. Burmeister, #20042
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Omaha, Nebraska 68124
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402/827-7001 fax
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ATTORNEYS FOR PLAINTIFF

**NOTICE REQUIRED UNDER THE FAIR DEBT
COLLECTION PRACTICES ACT**

1. This is an attempt to collect a debt and any information obtained will be used for that purpose.
2. The amount of the debt is stated in the Petition.
3. The name of the creditor is stated in the Petition.
4. Unless the debtor disputes the validity of the debt within thirty (30) days after receipt of the notice, it will be assumed that the debt is valid.
5. If the debtor notifies the attorney in writing within thirty (30) days that the debt is disputed, the attorney will obtain verification of the debt or a copy of a judgment and mail it to the Debtor.
6. The attorney provide the Debtor with the name and address of the original creditor, if different from the current creditor, if the Debtor requests this in writing within thirty (30) days.

IN THE COUNTY COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

CENTURY LUMBER CENTER OF)
SCOTTSBLUFF, a division of the)
CHICAGO LUMBER COMPANY OF)
OMAHA, INC., a Nebraska corporation,)

Plaintiff,)

v.)

ROD STERKEL,)

Defendant.)

CASE NO.: CI19-_____

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons to be served by certified mail upon the Defendant as follows:

Rod Sterkel
2370 13th Street
Gering, NE 69341

DATED: April 12, 2019.

CENTURY LUMBER CENTER
SCOTTSBLUFF, a division of the CHICAGO
LUMBER COMPANY OF OMAHA, Plaintiff

By: /s/ Angela L. Burmeister
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ATTORNEYS FOR PLAINTIFF