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## Nebraska Judicial Branch

### Case Summary

In the District Court of Sarpy County  
 The Case ID is CI 19 0002112  
 A. Raymond Plumbing v. Market Gretna, LLC  
 The Honorable George A Thompson, presiding.  
 Classification: Foreclosure-Other  
 Filed on 11/20/2019  
 This case is Open as of 11/20/2019

### Parties/Attorneys to the Case

| Party   | Attorney  |
|---|---|
| Plaintiff ACTIVE<br>A. Raymond Plumbing, Inc.   | Martin A Cannon Jr<br>24000 210th Street<br>Crescent IA 51526<br>402-455-6000 |
| Defendant ACTIVE<br>Market Gretna, LLC<br>c/o Michael Kivett<br>11240 Davenport Street<br>Omaha NE 68154                    |   |
| Defendant ACTIVE<br>The TR Company, LLC<br>c/o Douglas Kozeny<br>10410 South 144th Street<br>Omaha NE 68138                 |   |
| Defendant ACTIVE<br>Mitchel S wendlandt<br>10710 South 168th Avenue<br>Omaha NE 68136                                       |   |
| Defendant ACTIVE<br>R & S Hollendieck Investments, LLC<br>c/o Douglas Kozeny<br>10410 South 144th Street<br>Omaha NE 68138  |   |
| Defendant ACTIVE<br>Calabretto Properties, LLC<br>c/o Darren Carlson<br>17525 Arbor Street<br>Omaha NE 68130                |   |
| Defendant ACTIVE<br>The Calabretto Building Group, Inc.<br>c/o Douglas Kozeny<br>10410 South 144th Street<br>Omaha NE 68138 |   |
| Defendant ACTIVE<br>Elite Learning Academy & Preschool<br>Care of Allison Acero<br>17307 Madison Street<br>Omaha NE 68135   |   |

### Court Costs Information

| Incurring By | Account  | Date       | Amount  |
|--------------|----------|------------|---------|
| Plaintiff    | Petition | 11/20/2019 | \$35.00 |

| Incurring By | Account                   | Date       | Amount  |
|--------------|---------------------------|------------|---------|
| Plaintiff    | Filing Fee - State        | 11/20/2019 | \$1.00  |
| Plaintiff    | Automation Fee            | 11/20/2019 | \$8.00  |
| Plaintiff    | NSC Education Fee         | 11/20/2019 | \$1.00  |
| Plaintiff    | Dispute Resolution Fee    | 11/20/2019 | \$0.75  |
| Plaintiff    | Indigent Defense Fee      | 11/20/2019 | \$3.00  |
| Plaintiff    | Uniform Data Analysis Fee | 11/20/2019 | \$1.00  |
| Plaintiff    | J.R.F.                    | 11/20/2019 | \$6.00  |
| Plaintiff    | Filing Fee-JRF            | 11/20/2019 | \$6.00  |
| Plaintiff    | Legal Aid/Services Fund   | 11/20/2019 | \$6.25  |
| Plaintiff    | Complete Record           | 11/20/2019 | \$15.00 |

### 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  |
|---------|------------------|------------|------------------------|---------|
| 455570  | Electronic Trans | 11/20/2019 | A. Raymond Plumbing, I | \$83.00 |
|         |                  |            | Petition               | \$35.00 |
|         |                  |            | Filing Fee - State     | \$1.00  |
|         |                  |            | 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         | \$6.00  |
|         |                  |            | Legal Aid/Services Fun | \$6.25  |
|         |                  |            | Complete Record        | \$15.00 |

### Register of Actions

11/20/2019 Summons Issued on Elite Learning Academy & Preschool  
The document number is 00192767  
E-MAILED: mcannonlaw@gmail.com  
Image ID D00192767D59

11/20/2019 Summons Issued on The Calabretto Building Group, Inc.  
The document number is 00192766  
E-MAILED: mcannonlaw@gmail.com  
Image ID D00192766D59

11/20/2019 Summons Issued on Calabretto Properties, LLC  
The document number is 00192765  
E-MAILED: mcannonlaw@gmail.com  
Image ID D00192765D59

11/20/2019 Summons Issued on R & S Hollendieck Investments, LLC  
The document number is 00192764  
E-MAILED: mcannonlaw@gmail.com  
Image ID D00192764D59

11/20/2019 Summons Issued on Mitchel S wendlant  
The document number is 00192763  
E-MAILED: mcannonlaw@gmail.com  
Image ID D00192763D59

11/20/2019 Summons Issued on The TR Company, LLC  
The document number is 00192762  
E-MAILED: mcannonlaw@gmail.com  
Image ID D00192762D59

11/20/2019 Summons Issued on Market Gretna, LLC  
The document number is 00192761  
E-MAILED: mcannonlaw@gmail.com  
Image ID D00192761D59

11/20/2019 Praecipe-Summons/Alias  
This action initiated by party A. Raymond Plumbing, Inc.  
Issue on Market Gretna, Mitchel wendlant, R&S Hollendieck Investments,  
The TR Company, Calabretto Properties, Calabretto Building & Elite  
Image ID N19324IGYD59

11/20/2019 Complaint-Praecipe  
This action initiated by party A. Raymond Plumbing, Inc.  
Image ID N19324IFSD59

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

|  |   |                      |
|--|---|----------------------|
| A. RAYMOND PLUMBING, INC.,                 | ) | Case # CI 19 - _____ |
|  | ) |                      |
| Plaintiff,                                 | ) |                      |
| vs.  | ) |                      |
|  | ) |                      |
| Market Gretna, LLC, and                    | ) | COMPLAINT            |
| R&S Hollendieck Investments, LLC, and      | ) |                      |
| Mitchel S. Wendlandt, Trustee, and         | ) |                      |
| The TR Company, LLC, and                   | ) |                      |
| Calabretto Properties, LLC, and            | ) | (Equity)             |
| The Calabretto Building Group, Inc, and    | ) |                      |
| Elite Learning Academy and Preschool, LLC. | ) | Lien Foreclosure     |
|  | ) | 52-131 et seq.       |
| Defendants.                                | ) | 52-155               |

I.

Defendant **Market Gretna, LLC** owns the real estate and improvements comprising a strip mall in Gretna, Sarpy County, Nebraska. Defendants **R&S Hollendieck Investments, LLC, Mitchel S. Wendlandt, Trustee under the Mitchel S. Wendlandt and Kathleen A. Wendlandt Trust of 2014, The TR Company, LLC and Calabretto Properties, LLC,** are its members. Defendant **Calabretto Building Group (which may be The Calabretto Building Group, Inc.)** is an entity of unknown nature that has made payments to plaintiff on the subject contract. Defendant **Elite Learning Academy and Preschool, LLC** is and was at all pertinent times the tenant in the suites at defendants' strip mall improved by the plaintiff under the subject contract, and made change requests directly to Plaintiff.

II.

Plaintiff is a plumbing contractor. In March of 2018, at the request of the defendants, Plaintiff provided labor and materials for improvements to their property at 10746 South 204<sup>th</sup> Avenue. The original contract price of \$88,000.00, plus change orders of \$1,246.50, total \$89,246.50. The project was completed, and the plaintiff has a properly filed lien. Of that total, \$40,346.50 remains unpaid. Copies of the invoices and lien are attached.

III.

Despite proper demand, the defendants have failed to pay.

IV.

**WHEREFORE,** Plaintiff prays for judgment against the Defendants, jointly and severally, in the amount of \$40,346.50 or such other amount the court finds is owing,

plus a reasonable attorney's fee and the taxable costs of this action, and directing foreclosure of the plaintiff's lien against the property.

Plaintiff, by

A handwritten signature in black ink, appearing to read 'MARTIN A. CANNON', written over a horizontal line.

MARTIN A. CANNON, #18769

Cannon Law Offices

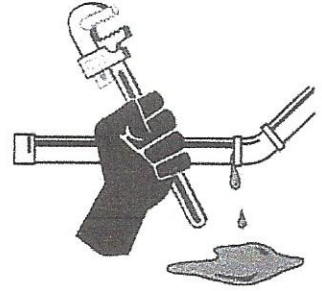
20374 Magnolia Road

Crescent, Iowa 51526

712-545-9433

mcannonlaw@gmail.com

**A Raymond Plumbing Inc**  
2740 9th Ave  
Council Bluffs, IA 51501  
(402) 391-1855  
araymondplumbing@gmail.com  
Araymondplumbing.com



## Estimate

### ADDRESS

Calabretto Building Group  
Calabretto Building Group  
10819 S. 204th Ave Circles,  
Suite #1  
Gretna, NE 68028

**ESTIMATE # 2007**  
**DATE 03/23/2018**

| ACTIVITY  | QTY | RATE      | AMOUNT    |
|---|-----|-----------|-----------|
| <b>14 Plumbing</b><br>Elite Learning academy<br>10746 S. 204th St, Suites 3-9 | 1   | 88,000.00 | 88,000.00 |

Install PVC waste and vent, Type M copper, fixtures,  
Recirculating line and pump, 60 gallon 120,000 btu high eff  
gas water heater, gas pipe to heater, water heater pvc flu,  
Mixing valves under each sink, pipe insulation.  
WC-1 ADA tank type toilets.  
WC-2 Primary toilets for kids room tank type.  
L-1 undercounter sink  
L-2 wall hung sink  
KS disposal only. No spec given  
MS= 24"X24" mop sink

Please call or fax a start time. I look forward to doing business with  
you.

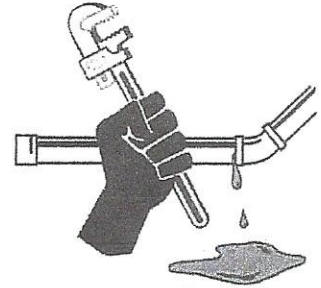
**TOTAL**

**\$88,000.00**

Accepted By

Accepted Date

A Raymond Plumbing Inc  
 2740 9th Ave  
 Council Bluffs, IA 51501  
 (402) 391-1855  
 araymondplumbing@gmail.com  
 Araymondplumbing.com



# INVOICE

**BILL TO**

Calabretto Building Group  
 Calabretto Building Group  
 10819 S. 204th Ave Circles,  
 Suite #1  
 Gretna, NE 68028

**INVOICE # 8122**

**DATE 10/25/2018**  
**DUE DATE 11/01/2018**  
**TERMS Due on receipt**

| DESCRIPTION  | QTY  | RATE      | AMOUNT    |
|--|------|-----------|-----------|
| <b>14 Plumbing</b><br>Elite Learning academy<br>10746 S. 204th St, Suites 3-9<br>Ground Work & Extras<br><br>Estimate: 88,000<br>Oct 2018 -26,400<br>Balance: 61,600 | 0.30 | 88,000.00 | 26,400.00 |

Install PVC waste and vent, Type M copper, fixtures,  
 Recirculating line and pump, 60 gallon 120,000 btu high eff  
 gas water heater, gas pipe to heater, water heater pvc flu,  
 Mixing valves under each sink, pipe insulation.  
 WC-1 ADA tank type toilets.  
 WC-2 Primary toilets for kids room tank type.  
 L-1 undercounter sink  
 L-2 wall hung sink  
 KS disposal only. No spec given  
 MS= 24"X24" mop sink

|  |      |        |        |
|--|------|--------|--------|
| <b>14 Plumbing</b><br>Extra:<br>Dates of Service: 9/28<br>Jetting  | 3.50 | 150.00 | 525.00 |
| <b>14 Plumbing</b><br>Extra:<br>Date of Service: 10/1/18<br>Camera | 1    | 248.00 | 248.00 |

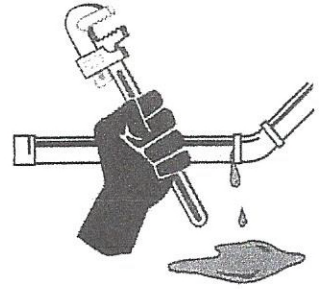
Elite Learning, 10746 S. 204th, Suites 3-9  
Oct 2018  
Ground Work & Extras

PAYMENT  
BALANCE DUE

26,400.00  
**\$773.00**



A Raymond Plumbing Inc  
 2740 9th Ave  
 Council Bluffs, IA 51501  
 (402) 391-1855  
 araymondplumbing@gmail.com  
 Araymondplumbing.com



# INVOICE

**BILL TO**

Calabretto Building Group  
 Calabretto Building Group  
 10819 S. 204th Ave Circles,  
 Suite #1  
 Gretna, NE 68028

**INVOICE # 8280**

**DATE 12/24/2018**

**DUE DATE 01/01/2019**

**TERMS Due on receipt**

| DESCRIPTION   | QTY  | RATE      | AMOUNT    |
|---|------|-----------|-----------|
| 14 Plumbing<br>Elite Learning academy<br>10746 S. 204th St, Suites 3-9<br>Dec Billing | 0.60 | 88,000.00 | 52,800.00 |

Estimate: 88,000  
 Oct 2018 -26,400  
 Dec 2018 -52,800  
 Balance: 88,800

Install PVC waste and vent, Type M copper, fixtures,  
 Recirculating line and pump, 60 gallon 120,000 btu high eff  
 gas water heater, gas pipe to heater, water heater pvc flu,  
 Mixing valves under each sink, pipe insulation.  
 WC-1 ADA tank type toilets.  
 WC-2 Primary toilets for kids room tank type.  
 L-1 undercounter sink  
 L-2 wall hung sink  
 KS disposal only. No spec given  
 MS= 24"X24" mop sink

Elite Learning, 10746 S. 204th, Suites 3-9  
 Dec 2018

|                    |                    |
|--------------------|--------------------|
| PAYMENT            | 22,500.00          |
| <b>BALANCE DUE</b> | <b>\$30,300.00</b> |

**CALABRETTO**  
BUILDING GROUP

10819 S. 204TH AVENUE CIRCLE SUITE 4  
GRETNA, NE 68028 • PHONE 402.934.2145

PINNACLE BANK  
Member F.D.I.C.  
Telebank: (402)339-7397 or 1-800-807-0716  
Gretna/Omaha/Papillion

161659

76-1391/1049

1/17/2019

PAY TO THE  
ORDER OF

A. Raymond Plumbing, Inc.

\$ \*\*26,400.00

Twenty-Six Thousand Four Hundred and 00/100\*\*\*\*\*

DOLLARS

A. Raymond Plumbing, Inc  
2732 9th Ave  
Council Bluffs, IA 51501

CALABRETTO BUILDING GROUP

MEMO

Invoice 8122 (base contract only)

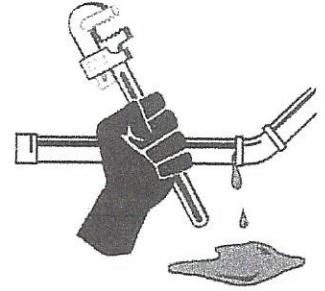


AUTHORIZED SIGNATURE



⑈ 161659⑈ ⑆ 104913912⑆ 0700112295⑈

A Raymond Plumbing Inc  
2740 9th Ave  
Council Bluffs, IA 51501  
(402) 391-1855  
araymondplumbing@gmail.com  
Araymondplumbing.com



## INVOICE

### BILL TO

Calabretto Building Group  
Calabretto Building Group  
10819 S. 204th Ave Circles,  
Suite #1  
Gretna, NE 68028

INVOICE # 8424

DATE 02/12/2019

DUE DATE 03/01/2019

TERMS Due on receipt

---

### P.O. NUMBER

Elite Learning, 10746 S. 204th,

| DESCRIPTION  | QTY  | RATE   | AMOUNT |
|--|------|--------|--------|
| 14 Plumbing<br>EXTRA:<br>Repair frozen pipes - heater failed, no insulation in ceiling | 3.50 | 99.00  | 346.50 |
| 14 Plumbing<br>Materials   | 1    | 127.00 | 127.00 |

---

Elite Learning, 10746 S. 204th, Suites 3-9  
Date of Service:1/31/19

BALANCE DUE

**\$473.50**



**CALABRETTO**  
BUILDING GROUP

10819 S. 204TH AVENUE CIRCLE SUITE 1  
GRETNA, NE 68028 • PHONE 402.934.2145

PINNACLE BANK  
Member F.D.I.C.  
Telebank: (402)339-7397 or 1-800-807-0716  
Gretna/Omaha/Papillion

76-1391/1049

161727

3/7/2019

PAY TO THE  
ORDER OF

A. Raymond Plumbing, Inc.

\$ \*\*22,500.00

Twenty-Two Thousand Five Hundred and 00/100\*\*\*\*\*

DOLLARS

A. Raymond Plumbing, Inc  
2732 9th Ave  
Council Bluffs, IA 51501

CALABRETTO BUILDING GROUP

MEMO

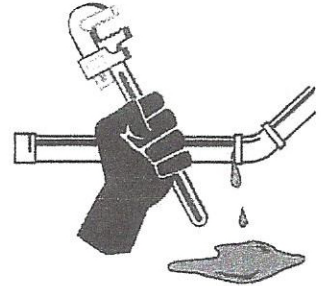
Invoice 8280 (partial)

AUTHORIZED SIGNATURE



⑈ 161727⑈ ⑆ 104913912⑆ 0700112295⑈

A Raymond Plumbing Inc  
 2740 9th Ave  
 Council Bluffs, IA 51501  
 (402) 391-1855  
 araymondplumbing@gmail.com  
 Araymondplumbing.com



# INVOICE

**BILL TO**

Calabretto Building Group  
 Calabretto Building Group  
 10819 S. 204th Ave Circles,  
 Suite #1  
 Gretna, NE 68028

**INVOICE #** 8599  
**DATE** 04/25/2019  
**DUE DATE** 05/01/2019  
**TERMS** Due on receipt

| DESCRIPTION   | QTY | RATE     | AMOUNT   |
|---|-----|----------|----------|
| <b>14 Plumbing</b><br>Elite Learning academy<br>April 2019 Billing Finish | 1   | 9,100.00 | 9,100.00 |

Estimate: 88,000  
 Oct 2018 -26,400  
 Dec 2018 -52,800  
 Apr 2019 -9,100  
 Balance: .00

Install PVC waste and vent, Type M copper, fixtures,  
 Recirculating line and pump, 60 gallon 120,000 btu high eff  
 gas water heater, gas pipe to heater, water heater pvc flu,  
 Mixing valves under each sink, pipe insulation.  
 WC-1 ADA tank type toilets.  
 WC-2 Primary toilets for kids room tank type.  
 L-1 undercounter sink  
 L-2 wall hung sink  
 KS disposal only. No spec given  
 MS= 24"X24" mop sink

Elite Learning, 10746 S. 204th, Suites 3-9  
 April 2019 Billing Finish

**BALANCE DUE**

**\$9,100.00**

COUNTER 34 C.E. 34  
 VERIFY 34 D.E. 34  
 PROOF \_\_\_\_\_  
 FEES \$ 10  
 CHECK # \_\_\_\_\_  
 CHG Pay CASH \_\_\_\_\_  
 REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
 SHORT \_\_\_\_\_ NCR \_\_\_\_\_

COPY

FILED SARPY COUNTY NEBRASKA  
 INSTRUMENT NUMBER

2019-24457

10/08/2019 12:33:04 PM

Woughtaling  
 COUNTY CLERK/REGISTER OF DEEDS



**CONSTRUCTION LIEN**

Return to: A Raymond Plumbing, Inc./Andy Raymond, 2740 9th Avenue, Council Bluffs, IA 51501

- The real estate subject to this lien is 10746 S 204th, Suites 3-9 Lot 1 Royal View Apartment Community Replat 1
- The person against whose interest in the real estate the lien is claimed is Market Gretna LLC C/O Mitch Wendlandt, 10710 S 168th Ave, Omaha, NE 68136
- The name and address of the claimant is: A Raymond Plumbing, Inc./Andy Raymond 2740 9th Avenue, Council Bluffs, IA 51501
- The name and address of the person with whom the claimant contracted Calabretto Building Group 8264 Hascall St, Suite 203, Omaha, NE 68124
- A general description of the claimant's services performed or to be performed or materials furnished or to be furnished for the improvement of Plumbing
- The total contract price is: \$ 89,246.50
- The amount unpaid, whether due or not, to the claimant for services or materials is \$ 40,646.50
- The date the last services or materials were furnished was 09/17/2019

Claimant: A Raymond Plumbing Owner Andrew Raymond Owner

State of Nebraska, County of Butt.. The foregoing instrument was acknowledged before me this 7 day

of Oct 20 19, by A. Raymond Plumbing by Andrew Raymond, Owner

Notary Public Signature



MARY PARROTT  
 Printed Notary Name

My Commission Expires: 10-9-21

State of Nebraska, County of \_\_\_\_\_ . The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_ of \_\_\_\_\_ a corporation, on behalf of said corporation.

Notary Public Signature \_\_\_\_\_

Printed Notary Name \_\_\_\_\_

My Commission Expires: \_\_\_\_\_