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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

NEALE FARMS, INC., a Nebraska Corporation, Plaintiff, v. TRIBEDO, LLC, a Nebraska Limited Liability Company, GEORGE TAYLOR D/B/A TAYLOR GRADING, and JV5 Solutions, LLC an Iowa Limited Liability Company, Defendants.	))))))))))))	Case No. CI 14-9471 MOTION FOR SUMMARY JUDGMENT

Comes Now, the Plaintiff, Neale Farms, Inc., and moves the Court for Summary Judgment on the claims for relief stated in the following pleadings:

1. Plaintiff's Complaint: The First Claim for Relief (Breach of Contract vs. JV5 Solutions, LLC), the Third Claim for Relief (Foreclosure of Construction Lien v. Tribedo, LLC) and the Fourth Claim for Relief (Quantum Meruit v. Tribedo, LLC).
2. Tribedo, LLC's Answer, Affirmative Defenses, Counterclaim, and Cross Claims: First Counterclaim (Bad Faith Claimant v. Neale Farms, Inc.) and the Second Cross-Claim for Relief (Breach of Contract vs. JV5 Solutions, LLC).

In support thereof, the undersigned shows the Court that there is no material issue as to the facts and that the Plaintiff Neale Farms, Inc., is entitled to judgment as a matter of law.

The undersigned gives notice that the Defendant will rely upon the affidavit of Jeff Shaner, President of Neale Farms, Inc. and the pleadings in support of the motion.

Dated: January 13, 2016.

NEALE FARMS, INC., Plaintiff:

By: _____

David V. Drew (#23153)
Drew Law Firm, P.C., LLO
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Attorney for the Plaintiff

NOTICE OF HEARING

You are hereby notified that a hearing will be held on the Motion for Summary Judgment on January 28, 2016, at 8:45 a.m. in the District Court of Douglas County, Nebraska, Courtroom #316, 3rd Floor, 1819 Farnam St., Omaha, NE 68183, before the Honorable Judge Randall, or as soon thereafter as same may be heard.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served on the following parties via electronic service on January 13, 2016.

Damien J. Wright
Welch Law Firm
1299 Farnam St, Ste. 1220
Omaha, Nebraska 68102

Mark Rater
221 S Main
Council Bluffs, Iowa 51503

John Walker
Lamson Dugan & Murray
10306 Regency Parkway Drive
Omaha, Nebraska 68114

_____

Certificate of Service

I hereby certify that on Thursday, January 14, 2016 I provided a true and correct copy of the Motion-Summary Judgment to the following:

Tribedo LLC represented by Wright,Damien James (Bar Number: 23256) service method: Electronic Service to damien@welchlawfirm.com

Lots 1, 2, 3, 6, 7, and 8 and Outlo service method: No Service

Taylor,George, represented by Walker,John McClure (Bar Number: 23250) service method: Electronic Service to jwalker@ldmlaw.com

Neale Farms Inc represented by Kelly M. Henry Turner (Bar Number: 23050) service method: Electronic Service to drewlawfirm@drewlawfirm.net

Taylor,George, represented by Catherine French (Bar Number: 25236) service method: Electronic Service to cfrench@ldmlaw.com

Tribedo LLC represented by Neeraj Agarwal (Bar Number: 24648) service method: Electronic Service to nagarwal@whitelotusgroup.com

JV5 Solutions LLC represented by Mark J Rater (Bar Number: 19115) service method: Electronic Service to mark@raterlaw.com

Signature: /s/ David V. Drew (Bar Number: 23153)