IN THE ~~DISTRICT COURT OF~~ DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, | ) | DOC. 676 NO. 63 |
| Petitioner, | ) | |
| vs. | ) | PETITION FOR DISSOLUTION OF MARRIAGE |
| ROBERT P. KAPOUN, | ) | 9A |
| Respondent, | ) | Assigned to Judge Krell-36 |

The Petitioner, MERCEDES M. KAPOUN, for her cause of action against the Respondent alleges and states:

I.

That the Petitioner is a resident of Omaha, Douglas County, Nebraska and has resided in the State of Nebraska for more than one year last past; that the Petitioner is represented in this action by Arthur D. O'Leary of the firm of McGrath, North, Dwyer, O'Leary & Martin, P.C., 1601 Woodmen Tower, Omaha, Nebraska.

II.

That the Respondent is a resident of Omaha, Douglas County, Nebraska.

III.

That Petitioner and Respondent were married at Cedar Rapids, Iowa on August 30, 1947.

IV.

That neither of the parties hereto is a member of the armed forces of the United States.

V.

That there are no minor children of the parties who might be affected by these proceedings.

VI.

That the Petitioner is not a party to any other pending action for divorce, separation, or dissolution of marriage either in this state or elsewhere.

VII.

That there has been a breakdown in the marriage relationship of the parties to the extent that the marriage is irretrievably broken and there remains no reasonable likelihood that the marriage can be preserved.

VIII.

That during the course of the marriage the parties have acquired certain real and personal property and Petitioner seeks an equitable division of such property.

IX.

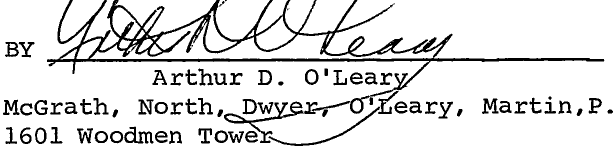
That Petitioner is entitled to temporary support, temporary alimony, temporary maintenance and temporary attorney's fees and upon dissolution permanent support, alimony, maintenance and attorney's fees.

X.

That Petitioner is afraid for her safety and requests that Respondent be excluded from the family home and business.

WHEREFORE, Petitioner prays that this marriage be dissolved, that an equitable distribution of the property of the parties be made; that Petitioner be awarded temporary support, alimony, maintenance and attorney's fees and upon dissolution of the marriage that petitioner be awarded permanent support, alimony, maintenance and attorney's fees; that the Respondent be excluded from the family home and business and for such other relief as the Court may deem just and equitable.

MERCEDES M. KAPOUN, Petitioner,

BY 

Arthur D. O'Leary
McGrath, North, Dwyer, O'Leary, Martin, P.C.
1601 Woodmen Tower
Omaha, Nebraska 68102

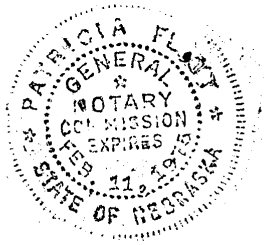
STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

The undersigned, being first duly sworn upon oath, deposes and states that she is the Petitioner in the above and foregoing action; that she has read the foregoing Petition for Dissolution of Marriage, knows the contents thereof and that the facts therein set forth are true as she verily believes.

Mercedes M. Kapoun

Mercedes M. Kapoun

SUBSCRIBED in my presence and sworn to before me this 23rd day of May, 1974.




Patricia Flott

Notary Public

Received _____ 19__

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Attorney for _____

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DOUGLAS COUNTY, NEBRASKA

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) | DOC. 676 NO. 63 |
| vs. | ) | RESTRAINING ORDER |
| ROBERT P. KAPOUN, Respondent. | ) | |

This matter came on to be heard this 23rd day of May, 1974, upon the duly verified petition of the Petitioner and her Motion as made in open Court for a temporary restraining order, Petitioner appearing personally and by her counsel, Arthur D. O'Leary, and the Court being fully advised of the matter, finds that the Motion should be sustatined.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that the Respondent be, and he hereby is, restrained and enjoined from interfering with or molesting the Petitioner, either at her place of residence and the Bohemian Cafe both located at 1406 South 13th Street, Omaha, Nebraska, or wherever she may be, either personally or in the care, custody and control of the minor children of the parties hereto; that the Respondent be restrained from disposing, or of alienating the ownership of any jointly or individually owned property belonging to the parties; and that the temporary custody of said children be awarded to the Petitioner.

BY THE COURT:

John C Burke

District Judge

Prepared by:

Arthur D. O'Leary
1601 Woodmen Tower
Omaha, Nebraska 68102
Attorney for Petitioner

AB

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M, KAPOUN, | ) | DOC. 676 NO. 63 |
| Petitioner, | ) | |
| vs. | ) | VOLUNTARY APPEARANCE |
| ROBERT P. KAPOUN, | ) | |
| Respondent | ) | |

COMES NOW the respondent, ROBERT P. KAPOUN, and does hereby waive the issuance and service of summons upon himself in the action herein pending, and enters his voluntary appearance in the herein action, for all purposes and with the same effect as if summons had been duly issued and served upon him.

DATED THIS 24th day of May, 1974.

Robert P. Kapoun
ROBERT P, KAPOUN, Respondent

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IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
MAY 28 1974
Marvin S. Rifenbrider
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STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

ON THIS 24th day of May, 1974, before me, the undersigned a Notary Public in and for said county, personally came ROBERT P. KAPOUN the respondent in the above entitled action, to me personally known to be the identical person whose name is affixed to the above voluntary appearance, and he acknowledged said instrument to be his voluntary act and deed.

IN WITNESS my hand and notarial sesl the day last aforesaid.

EMILY SCHERR GENERAL NOTARY COMMISSION EXPIRES AUG. 3, 1977 STATE OF NEBRASKA

Emily Scherr
NOTARY PUBLIC

Received copy of Petition and Restraining Order in above entitled matter this 24th day of May, 1974.

Robert P. Kapoun
Robert P. Kapoun

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IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) DOC. 676 | NO. 63 |
| Vs. | ) RESPONSIVE PLEADING | |
| ROBERT P. KAPOUN, Respondent. | ) | |

COMES NOW the respondent Robert P. Kapoun and for his answer to the Petition of the petitioner alleges and states:

1. Acknowledges receipt of a copy of petitioner's Petition for Dissolution of Marriage;

2. Admits that the parties have been residents of Omaha, Douglas County, Nebraska, for more than one year;

3. That the parties were married at Cedar Rapids, Iowa on August 30, 1947.

4. That there are no minor children who might be affected by these proceedings.

5. That no other action is pending for divorce, separation or dissolution of the marriage.

6. That there has been a breakdown in the marriage relationship to the extent that the marriage is irretrievably broken and there remains no reasonable likelihood that the marriage can be preserved.

7. That the relief sought by the respondent is a dissolution of the marriage and an equitable division of the property of the parties.

WHEREFORE, respondent prays that the marriage be dissolved; that an equitable division of the property be made, and for such other relief as the Court may deem just and equitable in the premises.

ROBERT P. KAPOUN, Respondent

By _____
his attorneys

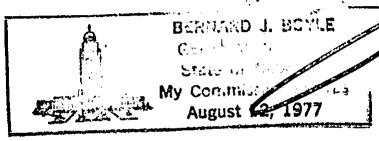
STATE OF NEBRASKA )
) SS
COUNTY OF DOUGLAS )

ROBERT P. KAPOUN, being first duly sworn upon oath, deposes and states that he is the respondent in the above and foregoing action; that he has read the foregoing Responsive Pleading, knows the contents thereof, and that the facts therein set forth are true as he verily believes.

Robert P. Kapoun

SUBSCRIBED in my presence and sworn tobefore me this 8th day of August, 1974.

Bernard J. Boyle
Notary Public




CERTIFICATE OF SERVICE
The undersigned, on this 9 day of August, 1974 certifies that a copy of above document was served on all attorneys of record by ~~U.S. Mail.~~ personally

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IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

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Marvin S. Rifenburg
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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, | ) | DOC. 676 NO. 63 |
| Petitioner, | ) | |
| vs. | ) | |
| ROBERT P. KAPOUN, | ) | |
| Respondent. | ) | |



INTERROGATORIES

TO: Mercedes M. Kapoun, Petitioner, and her attorney, Arthur D. O'Leary.

You are hereby requested to answer, in writing and under oath, the following Interrogatories within fifteen (15) days after service hereof, pursuant to the statutes of the State of Nebraska:

1. Do you own or are there registered in your name individually, as a joint tenant, as a co-tenant or in any other manner, any stocks, bonds, debentures, notes, chattel mortgages, or conditional sales contracts?

2. If the answer to Interrogatory No. 1 is yes, furnish the following information:

(a) List each such stock, bond, debenture, note, chattel, mortgage or conditional sales contract and the number of shares or the face value of each such item.

(b) State your interest in each such item.

(c) State the form in which each such item is registered or made payable.

3. Do you own or is there registered in your name individually, as a joint tenant, as a co-tenant or in any other manner any security not listed in response to Interrogatory No. 2?

4. If the answer to Interrogatory No. 3 is yes, furnish with respect to each security the information requested by Interrogatory No. 2.

5. Are there any group or individual insurance policies on your life?

6. If the answer to Interrogatory No. 5 is yes, furnish

the following information:

(a) List each such life insurance policy by number and insurer.

(b) State the face amount of each such life insurance policy.

(c) State the owner of each such life insurance policy.

(d) Name the beneficiary of each such life insurance policy, both direct and contingent.

(e) List any changes in beneficiaries of any such life insurance policies made since the filing of the Petition for Dissolution of Marriage herein.

7. Are you a trustee of any trust?

8. If the answer to Interrogatory No. 7 is yes, furnish the following information:

(a) State the name of or otherwise identify each such trust.

(b) Name the beneficiaries of each such trust.

(c) Name the trustees of each such trust.

9. Are you the beneficiary of any trust?

10. If the answer to Interrogatory No. 9 is yes, furnish the following information:

(a) State the name of or otherwise identify each such trust.

(b) State your interest in each such trust.

(c) Name the trustees of each such trust.

11. Do you own or is there held in your name individually, as a joint tenant, as a co-tenant or any other manner any real estate or any interest in real estate.

12. If the answer to Interrogatory No. 11 is yes, furnish the following information:

(a) List, in itemized fashion, each such real estate and each such interest in real estate.

(b) State your interest in each such parcel of real estate and each such interest in real estate.

(c) Name and state the interests of any other persons having any interest in such real estate or interest in real estate.

13. Are there any checking accounts, savings accounts, certificates of deposit or other bank deposits or credits standing in your name individually, as a joint tenant, as a co-tenant or in any other form?

14. If the answer to Interrogatory No. 13 is yes, furnish the following information:

(a) List by bank or financial institution and by account number each such checking account, savings account, certificate of deposit, or other bank deposit or credit.

(b) State the amount of each such item or the balance in each such account on the date of filing of the Petition for Dissolution of Marriage herein.

(c) List and state the interest of any other person or persons having any interest in such checking accounts, savings accounts, certificates of deposit, or other bank deposits or credits.

15. Are there any deposits or credits with any savings and loan associations, or any other type of savings institution, standing in your name individually, as a joint tenant, as a co-tenant or in any other manner?

16. If the answer to Interrogatory No. 15 is yes, furnish the following information:

(a) List by savings and loan association or other institution and by account number each such deposit or credit.

(b) State the amount of each such deposit or credit or the balance in each such account on the date of filing the Petition for Dissolution of Marriage herein.

(c) List and state the interest of any other person or persons having any interest in such deposits or credits.

17. Do you have any trading or other type of account with any person, firm or corporation engaged in the stock or commodity brokerage business?

18. If the answer to Interrogatory No. 17 is yes, furnish the following information:

(a) List each such account and the broker with hom it is held.

(b) State the cash balance and list the securities or other items held in each such account on the date of filing of the Petition for Dissolution of Marriage herein.

19. Are you a member of any partnership, syndicate or joint venture?

20. If the answer to Interrogarory No. 19 is yes, furnish the following information:

(a) State the name or otherwise describe each such partnership, syndicate or joint venture.

(b) State the percentage and nature of your interest in each such partnership, syndicate or joint venture.

(c) State the principal activities of each such partnership, syndicate or joint venture.

(d) List the principal assets of each such partnership, syndicate or joint venture.

(e) Set forth the gross income and the net income thereof for the past five years.

21. Do you own individually or with any other person or do you hold in your name as owner or co-owners any insurance policies on the life of any person other than yourself?

22. If the answer to Interrogatory No. 21 is yes, furnish the following information:

(a) List each such life insurance policy by number and insurer.

(b) State the face amount of each such policy.

(c) Name the person who is the insured under each such policy.

(d) Name the beneficiary under each such policy.

(e) Name any co-owner or co-owners of each such policy.

23. Do you have or hold any powers of appointment of any kind whatsoever?

24. If the answer to Interrogatory No. 23 is yes, list and describe each such power.

25. Do you own or hold in your name individually, as a co-tenant, as a joint tenant or in any other manner any land contracts or real estate mortgages?

26. If the answer to Interrogatory No. 25 is yes, furnish the following information:

(a) List each such land contract or real estate mortgage and the property which is the subject thereof.

(b) State your interest in each such land contract or real estate mortgage.

(c) State the balance due as of the date of filing of the Petition for Dissolution of Marriage herein on each such land contract or real estate mortgage.

(d) Name any other person or persons having any interest in such land contracts or real estate mortgages.

27. Do you own, alone or with some other person, any interest in any annuity?

28. If the answer to Interrogatory No. 27 is yes, list each such annuity and state your interest therein.

29. Do you own or is there titled or otherwise registered in your name individually, as a joint tenant, as a co-tenant or in any other manner any vehicle or conveyance of any kind?

30. If the answer to Interrogatory No. 29 is yes, list each such vehicle or conveyance and state your interest therein.

31. Do you own any watches, jewelry or other items of personal ornament having a value in excess of $250.00 apiece?

32. If the answer to Interrogatory No. 31 is yes, list each such item.

33. Do you have any interest in any business or profit-making activity not listed in response to one of the preceding interrogatories?

34. If the answer to Interrogatory No. 33 is yes, list and describe any such business or profit-making activity and your interest therein.

35. Are you a participant in or a beneficiary of any profit-sharing plan or trust or pension plan or trust?

36. If the answer to Interrogatory No. 35 is yes, list any such plan or trust of which you are a beneficiary or in which you participate.

37. Do you individually or in conjunction with any other person or persons own or hold any options to purchase any stock, securities or other real or personal property?

38. If the answer to Interrogatory No. 37 is yes, list and describe the terms and subject matter of each such option.

39. Are you the beneficial or record owner, alone or with some other person, firm or corporation, of any real or personal property or interest in property of any kind which has not been listed in response to one of the foregoing interrogatories?

40. If the answer to Interrogarory No. 39 is yes, list each such item of property or interest in property and state your interest therein.

41. Have you since filing of the Petition for Dissolution of Marriage herein, alone or in conjunction with some other person, firm or corporation, made or had made on your behalf, any sale, gift or other transfer or disposition of any interest in property of which you were a record or beneficial owner on said date of filing, and which interest had a value on said date of filing in excess of $250.00?

42. If the answer to Interrogatory No. 41 is yes, list each item of property so transferred, the date of each such transfer, the transferee of each property so transferred, and the money or other property received by you in whole or in part on your behalf for the property transferred.

43. Are you an officer or director of any corporation?

44. If the answer to Interrogatory No. 43 is yes, list each corporate officership or directorship that you now hold.

45. List each item of indebtedness in excess of $250.00 for which you are presently jointly or severally liable; state the amount of each such indebtedness; state the creditor or creditors to whom each such indebtedness is due; state the date on which each such indebtedness was incurred; name any co-obligors with respect to each such indebtedness; and state the contingencies,

if any, affecting your liability with respect to each such indebtedness.

46. List by general categories as to source, your gross income for the calendar years 1969, 1970, 1971, 1972 and 1973.

47. Did you own any assets on August 30, 1947?

48. If the answer to Interrogatory No. 47 is yes, list any assets you had on August 30, 1947.

49. Furnish the following information with respect to the shares of stock listed in your answer to Interrogatory No. 2 heretofore submitted to you:

(a) State the date of purchase or other acquisition of said shares.

(b) State the respective purchase prices for said shares.

(c) State the approximate amount of any encumbrances on said shares as of the date of filing the Petition for Dissolution of Marriage herein.

50. State which of the shares listed in your answer to Interrogatory No. 4 heretofore submitted to you are held by you individually and which are held by you as joint tenant with Robert P. Kapoun.

51. Have you disposed of any assets since the date of filing the Petition for Dissolution of Marriage herein?

52. If so, list the same.

53. State the dates of issuance and the approximate cash surrender values as of date of filing of the Petition herein of the life insurance policies on your life listed in your answer to Interrogatory No. 6 heretofore submitted to you.

54. Furnish the following information with respect to each parcel of real estate listed by you in your answer to Interrogatory No. 12 heretofore submitted to you:

(a) Date of purchase or other acquisition.

(b) Total purchase price, including any mortgages assumed.

(c) Approximate balance due as of date of filing of Petition herein on any mortgages or purcahse contracts.

(d) Type of improvements.

(e) If said improvements were constructed subsequent to your purchase or other acquisition of said real estate, state the date of construction and the approximate cost of said improvements.

55. State the purposes for which the debts listed in your answer to Interrogatory No. 45 heretofore submitted to you were incurred and the security, if any, given by you for each of said debts.

56. State your current annual rate of compensation by your employer or employers.

57. Do you have any interest of any kind whatsoever in any property of any kind which you have not previously listed or disclosed in response to the foregoing interrogatories or to interrogatories heretofore served upon you?

58. If the answer to Interrogatory No. 57 is yes, fully describe and state the value of such property.

These interrogatories are to be deemed continuing; and if the Petitioner or her attorneys discover additional information as to the matters inquired of in these interrogatories between the time answers are made and the date of trial, supplemental answers should be made informing the Petitioner and her attorneys as to the newly discovered information prior to trial.

ROBERT P. KAPOUN, Respondent,

By _____
Of Boyle and Hetzner
1830 Woodmen Tower
Omaha, Nebraska 68102
His Attorneys

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the above and foregoing Interrogatories was forwarded by United States mail, postage prepaid, to Arthur D. O'Leary, 1601 Woodmen Tower, Omaha, Nebraska 68102, attorney for Petitioner, on the 13 day of November, 1974.

_____

Kc

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IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

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Marvin S. Rifenbaider
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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, | ) | DOC. 676 NO. 63 |
| Petitioner, | ) | |
| vs. | ) | ANSWER TO INTERROGATORIES |
| ROBERT P. KAPOUN, | ) | |
| Respondent. | ) | |



COMES NOW the Petitioner, MERCEDES M. KAPOUN, and gives her answers to the Interrogatories propounded by the Respondent, ROBERT P. KAPOUN:

1. Do you own or are there registered in your name individually, as a joint tenant, as a co-tenant or in any other manner, any stocks, bonds, debentures, notes, chattel mortgages, or conditional sales contracts?

   Answer: Yes

2. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

   A. List each such stock, bond, debenture, note chattel, mortgage or conditional sales contract and the number of shares or the face value of each such item:

   Answer: Bohemian Cafe, Inc.; 60 shares; $100 par value.

   B. State your interest in each such item:

   Answer: 60 shares.

   C. State the form in which each such item is registered or made payable:

   Answer: Stock certificate.

3. Do you own or is there registered in your name individually, as a joint tenant, as a co-tenant or in any other manner any security not listed in response to Interrogatory No. 2?

Answer: No.

4. If the answer to the foregoing Interrogatory is in the affirmative, furnish with respect to each security the information requested by Interrogatory No. 2?

Answer: Not applicable.

5. Are there any group or individual insurance policies on your life?

Answer: No.

6. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. List each such life insurance policy by number and insurer:

Answer: Not applicable.

B. State the face amount of each such life insurance policy:

Answer: Not applicable.

C. State the owner of each such life insurance policy:

Answer: Not applicable.

D. Name the beneficiary of each such life insurance policy, both direct and contingent:

Answer: Not applicable.

E. List any changes in beneficiaries of any such life insurance policies made since the filing of the Petition for Dissolution of Marriage herein:

Answer: Not applicable.

7. Are you a trustee of any trust?

Answer: No.

8. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. State the name of or otherwise identify each such trust:

Answer: Not applicable.

B. Name the beneficiaries of each such trust.

Answer: Not applicable.

C. Name the trustees of each such trust:

Answer: Not applicable.

9. Are you the beneficiary of any trust?

Answer: No.

10. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. State the name of or otherwise identify each such trust:

Answer: Not applicable.

B. State your interest in each such trust:

Answer: Not applicable.

C. Name the trustees of each such trust:

Answer: Not applicable.

11. Do you own or is there held in your name individually, as a joint tenant, as a co-tenant or any other manner any real estate or any interest in real estate?

Answer: Yes.

12. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. List, in itemized fashion, each such real estate and each such interest in

real estate:

Answer: Lot 41, irregular tract in NW¼; SE¼ of section 14, Township 10 North, Range 6 East, Lancaster County, Nebraska.

B. State your interest in each such parcel of real estate and each such interest in real estate:

Answer: Joint tenant.

C. Name and state the interests of any other persons having any interest in such real estate or interest in real estate:

Answer: Robert Kapoun, joint tenant.

13. Are there any checking accounts, savings accounts, certificates of deposit or other bank deposits or credits standing in your name individually, as a joint tenant, as a co-tenant or in any other form?

Answer: Yes.

14. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. List by bank or financial institution and by account number each such checking account, savings account, certificate of deposit, or other bank deposit or credit:

Answer: Northwest National Bank; account no. 065-402.

B. State the amount of each such item or the balance in each such account on the date of filing of the Petition for Dissolution of Marriage herein:

Answer: New account, $200.

C. List and state the interest of any other person or persons having any interest in such checking accounts, savings accounts, certificates of deposit, or other bank deposits or credits:

Answer: No one.

15. Are there any deposits or credits with any savings and loan associations, or any other type of savings institution, standing in your name individually, as a joint tenant, as a co-tenant or in any other manner?

Answer: No.

16. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. List by savings and loan association or other institution and by account number each such deposit or credit:

Answer: Not applicable.

B. State the amount of each such deposit or credit or the balance in each such account on the date of filing the Petition for Dissolution of Marriage herein:

Answer: Not applicable.

C. List and state the interest of any other person or persons having any interest in such deposits or credits:

Answer: Not applicable.

17. Do you have any trading or other type of account with any person, firm or corporation engaged in the stock or commodity brokerage business?

Answer: No.

18. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. List each such account and the broker with whom it is held:

Answer: Not applicable.

B. State the cash balance and list the securities or other items held in each such account on the date of filing of the Petition for Dissolution of Marriage herein:

Answer: Not applicable.

19. Are you a member of any partnership, syndicate or joint venture?

Answer: No.

20. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. State the name or otherwise describe each such partnership, syndicate or joint venture:

Answer: Not applicable.

B. State the percentage and nature of your interest in each such partnership, syndicate or joint venture:

Answer: Not applicable.

C. State the principal activities of each such partnership, syndicate or joint venture:

Answer: Not applicable.

D. List the principal assets of each such partnership, syndicate or joint venture:

Answer: Not applicable.

E. Set forth the gross income and the net income thereof for the past five years:

Answer: Not applicable.

21. Do you own individually or with any other person or do you hold in your name as owner or co-owners any insurance policies on the on the life of any person other than yourself?

Answer: No.

22. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. List each such life insurance policy by number and insurer:

Answer: Not applicable.

B. State the face amount of each such policy:

Answer: Not applicable.

C. Name the person who is the insured under each such policy:

Answer: Not applicable.

D. Name the beneficiary under each such policy:

Answer: Not applicable.

E. Name any co-owner or co-owners of each such policy:

Answer: Not applicable.

23. Do you have or hold any powers of appointment of any kind whatsoever?

Answer: No.

24. If the answer to the foregoing Interrogatory is in the affirmative, list and describe each such power:

Answer: Not applicable.

25. Do you own or hold in your name individually, as a co-tenant, as a joint tenant or in any other manner any land contracts or real estate mortgages?

Answer: No.

26. If the answer to the foregoing Interrogatory is in the affirmative, furnish the following information:

A. List each such land contract or real estate mortgage and the property which is the subject thereof:

Answer: Not applicable.

B. State your interest in each such land contract or real estate mortgage:

Answer: Not applicable.

C. State the balance due as of the date of filing of the Petition for Dissolution of Marriage herein on each such land contract or real estate mortgage:

Answer: Not applicable.

D. Name any other person or persons having any interest in such land contracts or real estate mortgages:

Answer: Not applicable.

27. Do you own, alone or with some other person, any interest in any annuity?

Answer: No.

28. If the answer to the foregoing Interrogatory is affirmative, list each such annuity and state your interest therein:

Answer: Not applicable.

29. Do you own or is there titled or otherwise registered in your name individually, as a joint tenant, as a co-tenant or in any other manner any vehicle or conveyance of any kind?

Answer: Yes.

30. If the answer to the foregoing Interrogatory is affirmative, list each such vehicle or conveyance and state your interest therein:

Answer: Joint tenancy, 1963 Chevrolet II.

31. Do you own any watches, jewelry or other items of personal ornament haveing a value in excess of $250.00 apiece?

Answer: No.

32. If the answer to the foregoing Interrogatory is affirmative, list each such item:

Answer: Not applicable.

33. Do you have any interest in any business or profit-making activity not listed in response to one of the preceding interrogatories?

Answer: No.

34. If the answer to the foregoing Interrogatory is affirmative, list and describe any such business or profit-making activity and your interest therein:

Answer: Not applicable.

35. Are you a participant in or a beneficiary of any profit-sharing plan or trust or pension plan or trust?

Answer: No.

36. If the answer to the foregoing Interrogatory is affirmative, list any such plan or trust of which you are a beneficiary or in which you participate:

Answer: Not applicable.

37. Do you individually or in conjunction with any other person or persons own or hold any options to purchase any stock, securities or other real or personal property?

Answer: No.

38. If the answer to the foregoing Interrogatory is affirmative, list and describe the terms and subject matter of each such option:

Answer: Not applicable.

39. Are you the beneficial or record owner, alone or with some other person, firm or corporation, of any real or personal property or interest in property of any kind which has not been listed in response to one of the foregoing interrogatories?

Answer: No.

40. If the answer to the foregoing Interrogatory is affirmative, list each such item of property or interest in property and state your interest therein:

Answer: Not applicable.

41. Have you since filing of the Petition for Dissolution of Marriage herein, alone or in conjunction with some other person, firm or corporation, made or had made on your behalf, any sale, gift or other transfer or disposition of any interest in property of which you were a record or beneficial owner on said date of filing, and which interest had a value on said date of filing in excess of $250.00?

Answer: No.

42. If the answer to the foregoing Interrogatory is affirmative, list each item of property so

transferred, the date of each such transfer, the transferee of each property so transferred, and the money or other property received by you in whole or in part on your behalf for the property transferred:

Answer: Not applicable.

43. Are you an officer or director of any corporation?

Answer: Yes.

44. If the answer to the foregoing Interrogatory is affirmative, list each corporate officership or directorship that you now hold:

Answer: President, Bohemian Cafe, Inc.

45. List each item of indebtedness in excess of $250.00 for which you are presently jointly or severally liable; state the amount of each such indebtedness; state the creditor or creditors to whom each such indebtedness is due; state the date on which each such indebtedness was incurred; name any co-obligors with respect to each such indebtedness; and state the contingencies, if any, affecting your liability with respect to each such indebtedness:

Answer: None.

46. List by general categories as to source, your gross income for the calendar years 1969, 1970, 1971, 1972 and 1973:

Answer: 1970, $10,600; 1971, $10,400; 1972, $9,000; 1973, $10,800.

47. Did you own any assets on August 30, 1947?

Answer: No.

48. If the answer to the foregoing Interrogatory is affirmative, list any assets you had on August 30, 1947:

Answer: Not applicable.

49. Furnish the following information with respect to the shares of stock listed in your answer to Interrogatory No. 2 heretofore submitted to you:

A. State the date of purchase or other acquisition of said shares:

Answer: July, 1966.

B. State the respective purchase prices for said shares:

Answer: Unknown.

C. State the approximate amount of any encumbrances on said shares as of the date of filing the Petition for Dissolution of Marriage herein:

Answer: $170,000.

50. State which of the shares listed in your answer to Interrogatory No. 4 heretofore submitted to you are held by you individually and which are held by you as joint tenant with Robert P. Kapoun:

Answer: Not applicable.

51. Have you disposed of any assets since the date of filing the Petition for Dissolution of Marriage herein?

Answer: No.

52. If so, list the same:

Answer: Not applicable.

53. State the dates of issuance and the approximate cash surrender values as of date of filing of the Petition herein of the life insurance policies on your life listed in your answer to Interrogatory No. 6 heretofore submitted to you:

Answer: None.

54. Furnish the following information with respect to each parcel of real estate listed by you in your answer to Interrogatory No. 12 heretofore submitted to you:

A. Date of purchase or other acquisition:

Answer: December, 1971.

B. Total purchase price, including any mortgages assumed:

Answer: $15,000.

C. Approximate balance due as of date of filing of Petition herein on any mortgages or purchases contracts:

Answer: $7,500.

D. Type of improvements:

Answer: None.

E. If said improvements were constructed subsequent to your purchase or other acquisition of said real estate, state the date of construction and the approximate cost of said improvements:

Answer: None.

55. State the purposes for which the debts listed in your answer to Interrogatory No. 45 heretofore submitted to you were incurred and the security, if any, given by you for each of said debts:

Answer: Not applicable.

56. State your current annual rate of compensation by your employer or employers:

Answer: $300 per week--Bohemian Cafe.

57. Do you have any interest of any kind whatsoever in any property of any kind which you have

not previously listed or disclosed in response to the foregoing interrogatories or to interrogatories heretofore served upon you?

Answer: No.

58. If the answer to the foregoing Interrogatory is affirmative, fully describe and state the value of such property:

Answer: Not applicable.

MERCEDES M. KAPOUN, Petitioner,

By: _____
Arthur D. O'Leary
Of: McGrath, North, Dwyer, O'Leary & Martin, P.C.
1601 Woodmen Tower
Omaha, Nebraska 68102

Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the above and foregoing Answer to Interrogatories was forwarded by United States mail, postage prepaid, to Bernard J. Boyle, Boyle and Hetzner, 1830 Woodmen Tower, Omaha, Nebraska 68102, attorney for Respondent, on the 5th day of May, 1975.

_____

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FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
MAY 7 1975
CLERK

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN,<br><br>Petitioner,<br><br>vs.<br><br>ROBERT P. KAPOUN,<br><br>Respondent. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | DOC. 676 NO. 63<br><br><br><br><br><br>NOTICE OF HEARING |

Notice is hereby given that the above entitled matter was set for hearing for 1:30 P.M., July 23, 1975 in Court Room No. 4, the Honorable Lawrence C. Krell presiding.

Arthur D. O'Leary
McGrath, North, O'Malley, Kratz, Dwyer
O'Leary & Martin, P.C.
300 Continental Building
Omaha, Nebraska 68102

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the above and foregoing Notice of Hearing was forwarded by United States mail, postage prepaid, to Bernard J. Boyle, 1830 Woodmen Tower, Omaha, Nebraska 68102, attorney for Respondent, on this 10 day of July, 1975.

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IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) DOC. 676 | NO. 63 |
| vs. | ) | |
| ROBERT P. KAPOUN, Respondent. | ) MOTION | |

COMES NOW the Respondent pursuant to Section 25-1267.39 Nebraska Revised Statutes and moves the Court for an Order requiring the Petitioner to produce for inspection and copying by the Respondent, at Respondent's expense, the closing statements for the business known as the Bohemian Cafe for the years of 1974, 1973, 1972, 1971 and 1970, presently in the possession and custody or control of Petitioner or her attorney.

ROBERT P. KAPOUN, Petitioner,

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
JUL 11 1975
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By B. J. Boyle
Of Boyle and Hetzner
1830 Woodmen Tower
Omaha, Nebraska 68102
His Attorneys

NOTICE OF HEARING

TO: Mercedes M. Kapoun, Petitioner, and Arthur D. O'Leary, her attorney.

Please take notice that Respondent will call up the above Motion for hearing on the 18th day of July, 1975, at 1:30 o'clock _.M. before the Honorable Lawrence C. Krell in the Douglas County Court House.

B. J. Boyle

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the above Motion and Notice of Hearing was forwarded by United States mail, postage prepaid, to Arthur D. O'Leary, 300 Continental Building, Omaha, Nebraska, 68102, attorney for Petitioner, on the 11th day of July, 1975.

B. J. Boyle

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IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) DOC. 676 | NO. 63 |
| vs. | ) D E C R E E | |
| ROBERT P. KAPOUN, Respondent. | ) | |

This matter came on to be heard this 23rd day of July, 1975, upon the Petition for Dissolution of Marriage of the Petitioner herein, and the appearance and Response of the Petitioner, and upon the evidence adduced in support of said Petition, and the parties being represented by counsel, the Court finds that the prayer of the Petition should be granted.

The Court further finds that:

(1) The parties have made every reasonable effort to effect reconciliation, and that such efforts have been without success, and that the marriage of the Petitioner and Respondent is irretrievably broken;

(2) Since conciliation efforts have been unsuccessful, the balance of the six-month waiting period prior to a dissolution of marriage should be waived.

(3) The parties have entered into a Property Settlement Agreement, executed by each of them and bearing the date of July 22, 1975; said Agreement has been offered and recorded in evidence in this action, and the same should be approved, and incorporated into this decree by reference; the approval of this Court provided for by Paragraph 1 of said decree is hereby made and entered;

(4) There have been four children born of this marriage. None of said children will be affected by this decree as they have all reached their majority.

(5) The provisions of the Property Settlement Agreement

dated July 22, 1975, relating to the division of the property of the parties have been examined by the Court and the Court has considered the economic circumstances of the parties and all other relevant evidence, and the parties are fully informed as to the same, and are represented by counsel, and such terms are fair and just and are not unconscionable, they represent an equitable division of the properties owned by the parties and determine and finalize the extend of the interest of each party to such property, and the parties should be ordered to perform such terms; the said terms of such Agreement shall not be modified by any further order or decree;

(6) No alimony should be awarded to Respondent.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the marriage heretofore existing between the parties be, and is hereby dissolved, provided, that this decree and such dissolution shall not become final or operative until six months from the date hereof, except for the purpose of review by appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Property Settlement Agreement of July 22, 1975, between the parties, attached to this Decree, having been recorded in evidence and identified as Exhibit 'A', is incorporated herein by reference, and approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the terms of said Property Settlement Agreement, hereinabove identified, pertaining to the division of the property of the parties, are approved and confirmed, and are incorporated herein, and made a part hereof by reference; modification of the terms of said Agreement is hereby precluded.

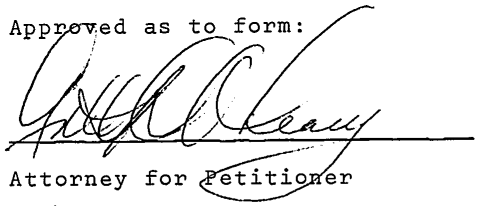
IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that no alimony is awarded to Respondent, and no award of alimony

shall be made at any time in the future.

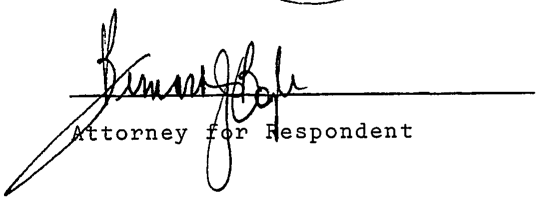
DATED: July 23rd, 1975.

JUDGE

Approved as to form:



Attorney for Petitioner



Attorney for Respondent

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) | DOC. 676 NO. 63 |
| vs. | ) | PROPERTY SETTLEMENT AGREEMENT |
| ROBERT P. KAPOUN, Respondent. | ) | |

This Property Settlement Agreement made this 22nd day of July, 1975, between MERCEDES M. KAPOUN, Petitioner, hereinafter referred to as "wife" and ROBERT P. KAPOUN, Respondent, hereinafter referred to as "husband", both of Omaha, Douglas County, Nebraska.

Differences have arisen between the parties, and as a consequence thereof they are presently living apart and the wife having filed a Petition for dissolution of her marriage to the husband, together with other relief incidental thereto, and the parties by this Agreement desiring to settle all questions of property rights, alimony, and all other rights, obligations or matters which have arisen or accrued by virtue of the marriage and separation of the parties, they therefore, in consideration of the mutual promises and agreements hereinafter set forth and subject only to the approval of the Court and the dissolution of their marriage, contract and agree as follows:

1. The husband hereby relinquishes to the wife any and all right, title, or interest he has or may have in those certain mutual funds more particularly described as follows:

(a) Investors Variable Payment Fund consisting of ownership of 799.374 shares held in the following proportions: 67.064 shares in the name of Mercedes M. Kapoun as Custodian for Terry J. Kapoun; 67.064 shares in the

name of Mercedes M. Kapoun as Custodian for Robert A. Kapoun; and 665.246 shares in the names of Robert P. and Mercedes M. Kapoun.

(b) IDS Progressive Fund, consisting of 2,787.385 shares held in the following names: 491.397 in the name of Robert P. Kapoun as Custodian for Terry J. Kapoun; 333.591 shares in the name of Robert P. Kapoun as Custodian for Robert A. Kapoun; and 1,962.397 shares in the names of Robert P. and Mercedes M. Kapoun.

(c) Investors Stock Fund consisting of 428.172 shares in the names of Robert P. and Mercedes M. Kapoun.

2. The wife hereby relinquishes to the husband any and all right, title or interest she has or may have in that certain tract of land more particularly described as follows:

Lot 41, irregular tract in the NW¼;
SE¼ of Section 14, Township 10 North,
Range 6 East, Lancaster County,
Nebraska.

This conveyance and release shall be by quick claim deed, and shall be subject to any lien, easement, mortgage, or encumbrance whether or not of record.

3. The husband hereby relinquishes to the wife any and all right, title or interest he has or may have in two $20,000.00 life insurance policies on his life, including any cash surrender values incident thereto.

4. The husband hereby relinquishes to the wife any and all right, title or interest he has or may have in a $50,000.00 policy of life insurance on his life, currently owned by the Bohemian Cafe, Inc., a Nebraska Corporation, including any and all cash surrender values incident thereto.

5. The husband hereby relinquishes to the wife any and all right, title, and interest he has or may have in the Bohemian Cafe, Inc., a Nebraska Corporation, and the stock ownership thereof.

6. In consideration therefore, the wife shall pay to the husband the following sums, which said sums are not alimony but are installment payments which are a part of and incidental to the property settlement herein agreed and entered into:

> $175.00 per month commencing on the first day of the month following the entrance of a Decree herein, and continuing each month thereafter on the first day thereof for a period of 18 years, provided, however, that said payments shall terminate on the death of the husband, but shall not terminate upon the death of the wife, her estate being liable for same until the husband attains his 6~~5~~7th birthday.

7. The husband hereby relinquishes to the wife any right, title or interest he has or may have in and to any household furnishings and any other personal property of the wife presently in her possession.

8. The wife hereby relinquishes to the husband any right, title or interest she has or may have in and to any personal property presently in the possession of the husband.

9. The husband and wife agree that each shall pay his and her own attorney's fees and court costs incurred in this action for dissolution of marriage, and shall hold the other harmless from any claim asserted by either attorney for

attorney's fees or court costs incurred.

10. The parties agree to live separately and apart and it is agreed that neither shall molest the other in any manner, either directly or indirectly, nor attempt in any way to prejudice the children of the parties against the other.

11. Each party shall at any time hereafter take any and all steps and execute, acknowledge and deliver to the other party any and all further instruments and assurances that the other party may reasonably require for the purpose of giving full force and effect to the provisions of this agreement.

12. Any decree which may be entered pursuant to said action for divorce, hereinabove mentioned, shall embody and contain terms and conditions of this Property Settlement Agreement, insofar as the same may be necessary and require; that said inclusion may be made by reference to this Agreement which shall be attached and made a part of the Decree.

13. In consideration of the above and forgoing property and promises received by the said wife, she agrees to accept the benefits of this Property Settlement Agreement in full and complete satisfaction of all financial claims, monetary demands, support money for herself, permanent alimony, claims and property rights of any kind, character, or nature whatsoever that she as the wife or as the widow, or otherwise, has had or now has, or might hereafter have against the said husband, or in the event of his death, as an heir at law, surviving spouse or otherwise, and the said wife does hereby waive and relinquish any and all interest, present and future, in any and all property now owned by the husband or which may be hereafter acquired by him, except as hereinabove provided.

14. In consideration of the above and forgoing property and promises received by the said husband, he agrees to accept the benefits of this Property Settlement Agreement in full and complete satisfaction of all financial claims,

monetary demands, support money for himself, permanent alimony, claims and property rights of any kind, character, or nature whatsoever that he as the husband or as the widower, or otherwise, has had or now has, or might hereafter have against the said wife, or in the event of her death, as an heir at law, surviving spouse or otherwise and the said husband does hereby waive and relinquish any and all interest, present and future, in any and all property now owned by the wife or which may be hereafter acquired by her, except as hereinabove provided.

15. It is the intention of the parties hereto that this Agreement shall be a full, final and complete settlement of all property rights, claims, demands or action as between the parties hereto, present or future, including all of their respective rights as a spouse.

16. In making this Property Settlement Agreement the wife is represented by her attorney, Arthur D. O'Leary of Omaha, Nebraska, and her husband is represented by his attorney, Bernard Boyle, of Omaha, Nebraska, and each of the parties has received the advice and counsel of his or her own attorney prior to the execution of this Agreement. Each has relied upon this advice of their own attornies and not upon any statements, representations, advise or counsel of the other party or of the attorney representing the other party.

17. This Agreement shall be binding upon the executors, administrators, heirs, deposees, and legatees of the parties hereto and the parties further agree that this contract, having been made in the State of Nebraska, shall be construed under and pursuant to the laws of the State of Nebraska.

18. This Agreement shall be submitted to the Court in which the above action is pending and, if found by the Court to be fair and equitable and if approved by the Court, it shall be incorporated in the final decree of the Court as the order and judgment of the Court. If approved, as aforementioned,

this Agreement shall be considered as a binding and conclusive judgment presently vesting and the parties acknowledge that the terms hereof are contractual and not a mere recital.

IN WITNESS WHEREOF, the parties have affixed their signatures on the date first above written.

Mercedes M. Kapoun
MERCEDES M. KAPOUN

Robert P. Kapoun
ROBERT P. KAPOUN

APPROVED:

Lawrence Kull
JUDGE

Bernard J. Boyle
BERNARD J. BOYLE,
Attorney for Husband
as to form only

ARTHUR D. O'LEARY,
Attorney for Wife

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Journal 1305 Page 196

CLERK DISTRICT COURT

# In The District Court of Douglas County, Nebraska

Kapoun

Plaintiff

-vs-

Kapoun

Defendant

DOCKET 676 PAGE 63

## NOTICE OF JUDGMENT

You as a party or attorney of record are hereby notified that on the 23 day of July, 1975, judgment was rendered in the above-entitled case.

Dated this 24 day of July, 1975.

RUDY J. TESAR
~~MARVIN S. REITSCHNEIDER~~
CLERK OF THE DISTRICT COURT

BY: Rudy J. Tesar, Deputy

Plff's attorney:
ART O'LEARY
300 Continental Bldg.
Omaha, NE 68102

B.J. BOYLE
1830 Woodmen Tower
Omaha, NE 68102

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) DOC. 676 | NO. 63 |
| vs. | ) APPLICATION | |
| ROBERT P. KAPOUN, Respondent. | ) | |

Comes now Robert P. Kapoun, Respondent, and respectfully shows to the Court as follows, to-wit:

I.

That on the 23rd day of July, 1975, a Decree of this Court was entered dissolving the marriage of the parties and other relief.

II.

That the Decree provided that Petitioner pay to the Respondent the sum of $175.00 per month as a property settlement agreement.

Ent. App. Doc. ____
Ent. Ex. Doc. ____
Ent. Judge Rec. ____
Recorded ____
Compared ____
Doc. ____ Page ____

III.

That all property settlement payments up to this present date, pursuant to the terms of said Decree have been paid by the Petitioner and received by the Respondent.

IV.

That all other things required by the Petitioner to be done and required by the Respondent to be done have been done.

V.

That the Petitioner, Mercedes M. Kapoun, is desireous of purchasing real estate in Douglas County, Nebraska, legally described as: Lot Thirty-Five (35), Woodland Hills first, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska. That the aforesaid Decree and order for property settlement payments by the Petitioner to the Respondent is a judgment lien at this time and that in order to obtain mortgage financing it is necessary that said lien be released as to the above mentioned property.

WHEREFORE, the Respondent prays that the Court authorize the Respondent's execution of a release by an order specifically releasing the lien of said property settlement payment judgment as to the above described real estate.

x Robert P. Kapoun
Robert P. Kapoun, Respondent

STATE OF NEBRASKA )
) ss.
COUNTY OF DOUGLAS )

Robert P. Kapoun, being first duly sworn on oath, deposes and says that he has read the above and foregoing Application in the above-entitled action. That he knows the contents thereof, and the statements therein contained are true as he verily believes.

x Robert P. Kapoun
Robert P. Kapoun, Respondent

SUBSCRIBED and sworn to before me this 27th day of February, 1978.

GENERAL NOTARY - State of Nebraska
L. F. ORCHARD
My Comm. Exp. Sept. 25, 1981

L. F. Orchard
Notary Public

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FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

MAR 2 1978

RUDY J. TESAR
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) DOC. 676 | NO. 63 |
| v. | ) RELEASE | |
| ROBERT P. KAPOUN, Respondent. | ) | |

Pursuant to an Order of the District Court of Douglas County, Nebraska, the undersigned in the above-entitled action hereby released and discharges the real estate described as Lot Thirty-Five (35) Woodland Hills first, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, from the lien of property settlements payments rising from the Decree entered in this case on 23rd day of July, 1975, but in all other respects said judgment shall be and remain in full force and effect.

IN WITNESS WHEREOF, the above-named Robert P. Kapoun, Respondent, has set his hand.

Ent. App. Doc. ..... Robert P. Kapoun
Ent. Ex. Doc. ..... Robert P. Kapoun, Respondent
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STATE OF NEBRASKA )
) 
COUNTY OF DOUGLAS )

On this 27 day of February, 1977, before me, the undersigned, a Notary Public duly commissioned and qualified personally appeared the above-named, Robert P. Kapoun, known to me to be the identical person who executed the foregoing Release and she acknowledged the execution thereof to be his voluntary act and deed.

GENERAL NOTARY - State of Nebraska
L. F. ORCHARD
My Comm. Exp. Sept. 25, 1981

Notary Public

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IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
MAR 2 1978
RUDY J. TESAR
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CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) DOC. 676 | NO. 63 |
| v. | ) RECEIPT | |
| ROBERT P. KAPOUN, Respondent. | ) | |

Comes now Robert P. Kapoun, Respondent, in the above-entitled action, and acknowledges receipt of all property settlement payments payable to date.

DATED this 2nd day of February, 1978.

Robert P. Kapoun, Respondent.

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CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

| | | |
|---|---|---|
| MERCEDES M. KAPOUN, Petitioner, | ) DOC. 676 | NO. 63 |
| v. | ) ORDER | |
| ROBERT P. KAPOUN, Respondent. | ) | |

Now on this 2 day of March, 1978, this matter came on to be heard upon the Application of Robert P. Kapoun, Respondent, in the above-entitled cause, for an Order approving the execution of a Release discharging the property hereinafter described from a lien for property settlement payments payable by virtue of a Decree entered herein on the 23rd day of July, 1975, and the Court being fully advised in the premises finds that said Application should be and is hereby granted.

IT IS, THEREFORE, ORDERED that the execution of a Release by Robert P. Kapoun, Respondent, releasing Lot Thirty-Five (35), Woodland Hills first, an addition to the City of Omaha, surveyed, platted and recorded in Douglas County, Nebraska, from the lien of property settlement payments payable by reason of the Decree entered herein on the 23rd day of July, 1975, be and is hereby approved.

SIGNED this 2 day of March, 1978

BY THE COURT:

Judge

Prepared and submitted by:

Timothy J. Cuddigan of the firm of
MARKS, CLARE, HOPKINS & RAUTH
900 Nebraska Savings Building
Omaha, Nebraska 68102 Phone: 422-0900

Attorneys for Petitioner

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