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Nebraska Judicial Branch

Case Summary

In the District Court of Douglas County
 The Case ID is CI 14 0008435
 Remar Walker v. United Rent-All West Inc
 The Honorable Marlon A Polk, presiding.
 Classification: Contract Disputes
 Filed on 10/21/2014
 This case is Closed as of 01/09/2015
 It was disposed as Uncontested Default

Parties/Attorneys to the Case

Plaintiff ACTIVE Remar Walker C/O: McChesney and Farrell 1913 Farnam Street Omaha NE 68102	Attorney Lyndsey A Canning 702 North 129th Street Omaha NE 68154 402-504-9346
Defendant ACTIVE United Rent-All West Inc 811 South 48th St Omaha NE United Rent-All West Inc owes \$8,675.89	

Judgment Information

On 01/09/2015 judgment of Judgment (General) was entered for \$8,675.89
 Balance due is \$8,675.89
 The judgment creditor is Remar Walker
 The judgment debtor is United Rent-All West Inc

Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Petition	10/21/2014	\$35.00
Plaintiff	Filing Fee - State	10/21/2014	\$5.00
Plaintiff	Automation Fee	10/21/2014	\$8.00
Plaintiff	NSC Education Fee	10/21/2014	\$1.00
Plaintiff	Dispute Resolution Fee	10/21/2014	\$0.75
Plaintiff	Indigent Defense Fee	10/21/2014	\$3.00
Plaintiff	Uniform Data Analysis Fee	10/21/2014	\$1.00
Plaintiff	J.R.F.	10/21/2014	\$6.00

Incurred By	Account	Date	Amount
Plaintiff	Filing Fee-JRF	10/21/2014	\$2.00
Plaintiff	Legal Aid/Services Fund	10/21/2014	\$5.25
Plaintiff	Complete Record	10/21/2014	\$15.00
Plaintiff	Service Fees	10/28/2014	\$19.18

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
158525	Check	10/21/2014	walker, Remar,	\$82.00
			Petition	\$35.00
			Filing Fee - State	\$5.00
			Automation Fee	\$8.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$7.75
			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

Register of Actions

01/09/2015 Notice Issued on Lyndsey A Canning
The document number is 00300707
Notice of Judgment
E-MAILED lyndsey.azar@gmail.com
Image ID D00300707D01

01/09/2015 Notice Issued on United Rent-All West Inc

The document number is 00300706
Notice of Judgment
Image ID D00300706D01

01/09/2015 Judgment
This action initiated by Marlon A Polk
re: for pltf

Image ID J00281010D01

11/24/2014 App-Atty Fees/Reimburse Fees
This action initiated by party Remar Walker
Image ID 001083227D01

11/24/2014 Motion-Default Judgment
This action initiated by party Remar Walker
1/8/2014 9:30 #410

Image ID 001083222D01

10/28/2014 Return Summons/Alias Summons
The document number is 00288474
Served 10/22/2014, Douglas County Sheriff
Personal Service
Image ID 001078496D01

10/21/2014 Summons Issued on United Rent-All West Inc
The document number is 00288474
Image ID D00288474D01

10/21/2014 Praecipe-Summons/Alias
This action initiated by party Remar Walker
Image ID 001078252D01

10/21/2014 Complaint-Praecipe
This action initiated by party Remar Walker
Praecipe filed separate
Image ID 001065790D01

IN THE DISTRICT COURT OF DOUGLAS COUN



REMAR WALKER,

Plaintiff,

vs.

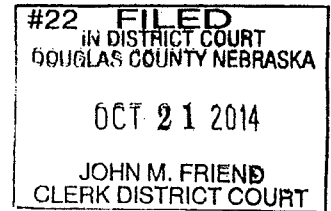
UNITED RENT-ALL WEST INC.,

Defendant.

Case No. CI 14 -

8435

COMPLAINT



ASSIGNED TO

Polk

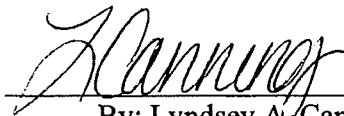
COMES NOW Plaintiff, Remar Walker (hereinafter Walker) and for his claim against Defendant, United Rent-All West, Inc. (hereinafter United) states and alleges as follows:

1. Plaintiff Walker is a resident of 5715 N. 30th Street, Omaha, Douglas County, Nebraska.
2. Defendant United is an established rental business in Omaha, located at 811 South 48th Street, Omaha, Douglas County, Nebraska.
3. Venue is proper as the events giving rise to this lawsuit took place in and the subject matter of this lawsuit is located in Douglas County, Nebraska.
4. On or about March 31, 2014, Walker entered into a written contract with United for United to provide a 32 - pound deep fat fryer to be rented from United on or about July 3, 2014.
5. That Walker rented the fryer to fulfill his contract with Saturday in the Park (hereinafter Festival), that took place on or about July 5, 2014 in Sioux City, Iowa.
6. That United expressly represented to Walker that the fryer supplied to him was brand new and in good working order.
7. That Walker relied on this representation and but for this representation, Walker would not have rented the fryer.
8. That on or about July 5, 2014, Walker repeatedly attempted to light the fryer and it failed to light.
9. That on or about July 5, 2014, Walker made several phone calls to United's technicians who attempted to provide support to light the fryer, to no avail.

10. That in an attempt to mitigate his damages, Walker was forced to purchase a substitute fryer and propane tank, but these were not of commercial value and were unable to handle the large demand for his product.
11. That on or about July 7, 2014, Walker returned the fryer to United and United's technicians were also unable to light the fryer proving it to be malfunctioning.
12. That prior to and in anticipation of the Festival, Walker spent over \$3,000 on food and other items necessary for his performance.
13. That Walker would have expected to earn \$6,000 in sales of his food product based on the sales of similarly situated food vendors at the Festival.
14. That the demand for Walker's food product was substantial throughout the course of the day.
15. That Walker was unable to adequately meet customer demand due to the failure of the 32-pound fryer.
16. That Walker is owner of Smooth Move Productions and gave up \$500 in potential earnings from an event on July 5th, 2014 due to his commitment to the Festival.

WHEREFORE, Walker prays for a judgment against United for his actual damages of \$8,675.69, attorney's fees, court costs and fees, and for such other relief as may be just.

REMAR WALKER, Plaintiff



By: Lyndsey A. Canning, #25442
McChesney & Farrell Law Offices
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Omaha, NE 68106
402.934.4884
lyndseycanninglaw@gmail.com
Attorney for the Plaintiff

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

REMAR WALKER,

Plaintiff,

vs.

UNITED RENT-ALL WEST, INC.,

Defendant.

Case No. CI 14- 8435

ORDER

COMES NOW the Plaintiff, REMAR WALKER, by and through his attorney, Lyndsey A. Canning, and makes an application to this Court for an order to render a default judgment against the Defendant. This matter came before the Court for trial on January 8, 2015. The Plaintiff was present with his Counsel, Lyndsey A. Canning. The Defendant failed to appear. The Court finds that proper notice was given to the Defendant. Evidence was adduced at trial and as a result this Court finds for the Plaintiff for the amount of \$9,675.89.

IT IS SO ORDERED.

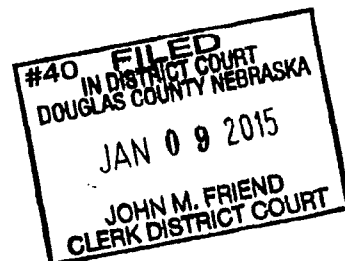
BY THE COURT

Hon. Marlon Polk
District Court Judge

PREPARED AND SUBMITTED BY:

L. Canning

LYNDSEY A. CANNING, #25442
ATTORNEY FOR THE PLAINTIFF
MCCHESNEY AND FARRELL
1913 Farnam Street
Omaha, NE 68102
402-934-4884



J00281010D01

CERTIFICATE OF SERVICE

I, the undersigned, certify that on January 12, 2015 , I served a copy of the foregoing document upon the following persons at the addresses given, by mailing by United States Mail, postage prepaid, or via E-mail:

Lyndsey A Canning
lyndsey.azar@gmail.com

Date: January 12, 2015

BY THE COURT:

John M. Friend
CLERK

