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Nebraska Judicial Branch

Case Summary

In the District Court of Douglas County
 The Case ID is CI 18 0002075
 Sally Engler v. East Campus Realty, LLC
 The Honorable Gregory M Schatz, presiding.
 Classification: Negligence-Other
 Filed on 03/13/2018
 This case is Open as of 03/13/2018

Parties/Attorneys to the Case

Party	Attorney
Plaintiff ACTIVE Sally Engler 100 E. 16th Avenue Chamberlain SD 57325	Richard J Rensch 7602 Pacific Street, Ste 102 Omaha NE 68114 402-498-4400
Plaintiff ACTIVE Russ Engler 100 E. 16th Avenue Chamberlain SD 57325	Richard J Rensch 7602 Pacific Street, Ste 102 Omaha NE 68114 402-498-4400
Defendant ACTIVE East Campus Realty, LLC Mutual of Omaha Plaza c/o General Counsel Omaha NE 68175	Michael L Moran 1350 Woodmen Tower Omaha NE 68102 402-348-0900

Court Costs Information

Incurring By	Account	Date	Amount
Plaintiff	Petition	03/13/2018	\$35.00
Plaintiff	Filing Fee - State	03/13/2018	\$1.00
Plaintiff	Automation Fee	03/13/2018	\$8.00
Plaintiff	NSC Education Fee	03/13/2018	\$1.00
Plaintiff	Dispute Resolution Fee	03/13/2018	\$0.75
Plaintiff	Indigent Defense Fee	03/13/2018	\$3.00
Plaintiff	Uniform Data Analysis Fee	03/13/2018	\$1.00
Plaintiff	J.R.F.	03/13/2018	\$6.00
Plaintiff	Filing Fee-JRF	03/13/2018	\$6.00
Plaintiff	Legal Aid/Services Fund	03/13/2018	\$6.25
Plaintiff	Complete Record	03/13/2018	\$15.00

Incurring By	Account	Date	Amount
Plaintiff	Service Fees	03/22/2018	\$6.67

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
291471	Electronic Trans	03/13/2018	Engler, Sally,	\$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

06/06/2018 Motion Filed
This action initiated by party East Campus Realty, LLC
Re: Leave to Serve Responses 6/22/18 9:30am /mg
Image ID N18157ZVWD01

06/05/2018 Notice-Service
This action initiated by party East Campus Realty, LLC
Re: Answers /mg
Image ID N18156X16D01

04/18/2018 Notice-Service
This action initiated by group Sally & Russ Engler
Re: Req-Adm, Interrogs & Req /mg
Image ID N181080M4D01

04/11/2018 Answer
This action initiated by party East Campus Realty, LLC
a1
Image ID N1810165SD01

03/28/2018 Answer
This action initiated by party East Campus Realty, LLC
kr
Image ID N18087CKGD01

03/22/2018 Return Summons/Alias Summons
The document number is 00523524
JB
Served 03/15/2018, Certified Mail
Image ID N18081NWGD01

03/13/2018 Summons Issued on East Campus Realty, LLC
The document number is 00523524
E-MAILED: dick@renschlawyers.com
Image ID D00523524D01

03/13/2018 Praecipe-Summons/Alias
This action initiated by group Sally & Russ Engler
s1
Image ID N18072DVMD01

03/13/2018 Complaint-Praecipe
This action initiated by group Sally & Russ Engler
praecipe filed separate s1
Image ID N18072DVGD01

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

SALLY ENGLER and RUSS ENGLER,

Plaintiffs,

v.

EAST CAMPUS REALTY, LLC

Defendant.

DOC.: _____ PAGE: _____

COMPLAINT

COMES NOW the Plaintiffs, Sally and Russ Engler, and for their cause of action against the Defendant, East Campus Realty LLC, state and allege as follows:

GENERAL ALLEGATIONS

1. That at all times hereinafter material, Plaintiffs were residents of Chamberlain, South Dakota; that at all times hereinafter material, the Defendant, is and was a limited liability corporation authorized to and doing business within the State of Nebraska, pursuant to the statutes of the State of Nebraska, for the purpose of owning and operating a business establishment known as the East Campus Realty LLC, located in Omaha, Douglas County, Nebraska.

2. That at all times hereinafter material, Plaintiffs' cause of action arises out of injuries Sally Engler suffered on or about January 08, 2016 when she tripped over a raised section of sidewalk and fell on the Defendant's property as she was leaving The Grey Plume restaurant in Omaha, Douglas County, Nebraska.

3. That the sole, direct and proximate cause of the above-described fall and Plaintiff's resulting injuries was the negligence of the Defendant in the manner in which it operated and maintained the above-described property upon which the Plaintiff's fall occurred; that the Defendant was negligent in the following particulars, to-wit:

- (a) In its failure to timely repair the raised sidewalk; and
- (b) In failing to adequately warn Plaintiff of the nature and location of the broken sidewalk.

FIRST CAUSE OF ACTION

4. That as a direct and proximate result of the aforementioned negligence of the Defendant, Plaintiff has suffered injuries to her left wrist, and left knee resulting in surgery, medical conditions and various bumps, bruises and abrasions; that some or all of the aforementioned injuries may be permanent in nature and Plaintiff has suffered and expects to continue to suffer into the future from pain resulting there from.

5. That Plaintiff has incurred medical expenses for the treatment of the above-described injuries to date in excess of \$40,000.00.

6. That Plaintiff has incurred incidental damages in excess of \$262.22 for hotel stay and mileage and Plaintiff may continue to incur incidental damages into the future.

WHEREFORE, Plaintiffs pray for judgment against the Defendant as more fully set forth in Plaintiffs' prayer for relief found hereinafter.

SECOND CAUSE OF ACTION

7. That Plaintiffs hereby incorporate paragraphs 1 through 7, inclusive, as though fully set forth herein.

8. That Plaintiff, Russ Engler, as the spouse of Sally Engler, is entitled to the services, support, love and affection, and other rights of spouses more commonly referred to as a spouse's right of consortium.

9. That, as the spouse of Sally Engler and because of her injuries, Russ Engler has been denied certain consortium rights; that Defendant, East Campus Realty LLC, is responsible to Russ Engler for any damages suffered by him.

WHEREFORE, Plaintiffs, Sally Engler and Russ Engler, pray for judgment against the Defendant for special damages incurred by Sally Engler for medical treatment to date in excess of \$40,000.00, for and for incidental damages in excess of \$262.22; Plaintiffs pray for future medical expenses and for Russ Engler's loss of consortium; together with general damages in accordance with the laws of the State of Nebraska that will fairly and adequately, but not excessively, compensate Plaintiffs for the nature and extent of their injuries and claims and such other items of general

damages all of which have been caused by the negligence of the Defendant, together with Plaintiffs' costs expended herein.

DATED this 12 day of March, 2018.

SALLY ENGLER and RUSS
ENGLER, Plaintiffs

By: 

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