

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

Nebraska Data Centers, LLC,)	CASE NO. 8:17-CV-_____
)	
Plaintiff,)	
)	
vs.)	COMPLAINT FOR DECLARATORY
)	JUDGMENT
Leo Khayet,)	
)	
Defendant.)	

COMES NOW the Plaintiff, Nebraska Data Centers, LLC (“Plaintiff”) and for its Complaint against Defendant Leo Khayet (“Defendant”), states and alleges as follows.

PARTIES

1. Plaintiff is a limited liability company organized under the laws of the state of Delaware, with its principal place of business 1623 Farnam Street, Omaha, Nebraska 68102. Plaintiff is authorized to transact business in the state of Nebraska. Neither Plaintiff nor any of its members are residents of, citizens of, or have a principal place of business in the State of Kansas.

2. Defendant is an individual and a citizen and resident of State of Kansas. Defendant's address is 13249 High Drive, Leawood, KS 66209.

JURISDICTION AND VENUE

3. This Court has diversity jurisdiction over the parties pursuant to 28 U.S.C. § 1332(a). The parties are citizens of different states and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

4. Venue is proper in the District of Nebraska pursuant to 28 U.S.C. § 1391(b). A substantial part of the events giving rise to this lawsuit occurred in the State of Nebraska, where Plaintiff conducts and transacts business.

5. An actual controversy of a justiciable nature exists between Plaintiff and Defendant involving their rights and obligations under the agreement described herein, which controversy may be determined by the judgment of this Court.

BACKGROUND

6. On August 8, 2017, Plaintiff and Defendant entered into a Consulting Agreement (the “Agreement”). Plaintiff entered into the Agreement for purposes of having Defendant provide consulting services to Plaintiff. Under its terms, the terms of the agreement are to remain confidential. Plaintiff will file a true and accurate copy of the Agreement as a restricted document, pursuant to the Court's local rules. The Agreement is marked as Exhibit A and is incorporated herein by reference.

7. The Agreement provides a set of conditions that must be fulfilled prior to Defendant being entitled to compensation for any services performed under the Agreement. To date, the conditions required for Defendant to be compensated have not been fulfilled. Accordingly, Defendant is not entitled to any compensation under the Agreement.

8. Under Section 2a of the Agreement, the consideration that would be payable to Defendant in the event the conditions for compensation were met under the Agreement is in excess of \$75,000.00.

9. Prior to termination of the Agreement by Plaintiff, Defendant was not entitled to any payment under the Agreement.

10. Plaintiff has complied with all terms and conditions of the Agreement.

11. By letter dated October 4, 2017, Plaintiff terminated the Agreement. Plaintiff will file a true and accurate copy of the correspondence terminating the Agreement as a restricted document, pursuant to the Court’s local rules. This correspondence is marked as Exhibit B and is incorporated herein by reference.

12. On or about October 5, 2017, Defendant responded to Plaintiff's letter of termination (Exhibit B), disputing Plaintiff's termination and indicating that Defendant is entitled to compensation from Plaintiff.

COUNT I

DECLARATORY JUDGMENT

13. Plaintiff re-alleges and incorporates the allegations in paragraphs 1 through 11 of this Complaint as though fully set forth herein.

14. Pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202, Plaintiff brings this matter before the Court for the purpose of declaring the rights, status, and other legal relations of the Plaintiff and Defendant under the terms of the Agreement.

15. Specifically, Plaintiff seeks a declaration that:

- (a) no amount is due or owing to Defendant under the Agreement;
- (b) Plaintiff has complied with all terms and conditions of the Agreement and has not breached any of the terms and conditions of the Agreement; and
- (c) the Agreement is terminated, except with respect to those terms and conditions which survive the termination of the Agreement.

16. Declaratory judgment is appropriate in this matter because there is an actual and justiciable controversy involving the rights and legal relations of the Plaintiff and the Defendant, and because the controversy is ripe for judicial determination.

WHEREFORE, on Count I of its Complaint, Plaintiff prays for a judgment against Defendant that:

- (a) no amount is due or owing to Plaintiff under the Agreement;
- (b) Plaintiff complied with all terms and conditions of the Agreement and has not breached any of the terms and conditions of the Agreement; and
- (c) the Agreement is terminated, except with respect to those terms and conditions which survive the termination of the Agreement; and
- (d) Any other further relief that the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable in the United States District Court for the District of Nebraska, in the Court's Omaha Division.

DATED this 5th day of October 2017.

Nebraska Data Center, LLC, Plaintiff

BY: /s/Robert W. Futhey

Robert W. Futhey, #24620
FRASER STRYKER PC LLO
500 Energy Plaza
409 South 17th Street
Omaha, Nebraska 68102-2663
(402) 341-6000
rfuthey@fraserstryker.com
ATTORNEYS FOR PLAINTIFF

EXHIBITS A AND B TO
PLAINTIFF'S COMPLAINT
HAVE BEEN FILED UNDER
A SEPARATE FILING
NUMBER AS RESTRICTED
DOCUMENTS.

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STAT-CONSENT, TRIAL-OMAHA

**U.S. District Court
District of Nebraska (8 Omaha)
CIVIL DOCKET FOR CASE #: 8:17-cv-00369-LSC-CRZ**

Nebraska Data Centers, LLC et al v. Khayet et al
Assigned to: Chief Judge Laurie Smith Camp
Referred to: Magistrate Judge Cheryl R. Zwart
Case in other court: USDC-Nebraska, 8:18cv00330
Cause: 28:1332 Diversity-Contract Dispute

Date Filed: 10/05/2017
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Nebraska Data Centers, LLC

represented by **Neil P. Hassler**
FRASER, STRYKER LAW FIRM
409 South 17th Street
Suite 500, Energy Plaza
Omaha, NE 68102
(402) 978-5374
ATTORNEY TO BE NOTICED

Robert W. Futhey
FRASER, STRYKER LAW FIRM
409 South 17th Street
Suite 500, Energy Plaza
Omaha, NE 68102
(402) 341-6000
Fax: (402) 341-8290
Email: rfuthey@fraserstryker.com
ATTORNEY TO BE NOTICED

Plaintiff

**American Nebraska Limited
Partnership**

represented by **Neil P. Hassler**
(See above for address)
ATTORNEY TO BE NOTICED

Robert W. Futhey
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defaulted Defendant

Leo Khayet

represented by **Leo Khayet**
Address Updated 5/1/2018
4001 West 105th Street

Apartment 362
 Overland Park, KS 66207
 (913) 660-5766
 Email: leokhayet@gmail.com
 PRO SE

Benjamin E. Maxell
 GOVIER, KATSKEE LAW FIRM
 10404 Essex Court
 Suite 100
 Omaha, NE 68132
 (402) 391-1697
 Fax: (402) 391-8932
 Email: ben@katskee.com
 TERMINATED: 12/21/2017

Defaulted Defendant

Timber Ventures, LLC

represented by **Timber Ventures, LLC**
 13249 High Drive
 Leawood, KS 66209
 PRO SE

Date Filed	#	Docket Text
10/05/2017	<u>1</u>	COMPLAINT with jury demand against All Defendants (Filing fee \$ 400, receipt number 0867-3538246), by Attorney Robert W. Futhey on behalf of Nebraska Data Centers, LLC (Attachments: # <u>1</u> Civil Cover Sheet)(Futhey, Robert) (Entered: 10/05/2017)
10/05/2017	<u>2</u>	RESTRICTED DOCUMENT <i>Exhibit A and B to Complaint</i> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 10/05/2017)
10/05/2017	<u>3</u>	MOTION to Restrict pursuant to the E-Government Act <i>Filing No. 2</i> by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 10/05/2017)
10/05/2017	4	TEXT NOTICE OF JUDGES ASSIGNED: Magistrate Judge Michael D. Nelson assigned. (LAC) (Entered: 10/06/2017)
10/06/2017	5	TEXT NOTICE REGARDING CORPORATE DISCLOSURE STATEMENT by Deputy Clerk as to Plaintiff Nebraska Data Centers, LLC. Pursuant to Fed. R. Civ. P. 7.1, non-governmental corporate parties are required to file Corporate Disclosure Statements (Statements). The parties shall use the form Corporate Disclosure Statement, available on the Web site of the court at http://www.ned.uscourts.gov/forms/ . If you have not filed your Statement, you must do so within 15 days of the date of this notice. If you have already filed your Statement in this case, you are reminded to file a Supplemental Statement within a reasonable time of any change in the information that the statement requires. (LAC) (Entered: 10/06/2017)

10/06/2017	<u>6</u>	TEXT ORDER granting <u>3</u> Motion to Restrict pursuant to the E-Government Act. Access to Complaint Exhibits A and B <u>2</u> shall remain restricted to case participants and court users. Ordered by Magistrate Judge Michael D. Nelson. (SMN) (Entered: 10/06/2017)
10/06/2017	<u>7</u>	Summons Requested as to Leo Khayet regarding Complaint <u>1</u> , Restricted Document, <u>2</u> . (Futhey, Robert) (Entered: 10/06/2017)
10/06/2017	<u>8</u>	Summons Issued as to defendant Leo Khayet. YOU MUST PRINT YOUR ISSUED SUMMONS, WHICH ARE ATTACHED TO THIS DOCUMENT. PAPER COPIES WILL NOT BE MAILED. (LAC) (Entered: 10/06/2017)
10/17/2017	<u>9</u>	CORPORATE DISCLOSURE STATEMENT pursuant to Fed. R. Civ. P. 7.1 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Futhey, Robert) (Entered: 10/17/2017)
11/02/2017	<u>10</u>	SUMMONS Returned Executed upon defendant Leo Khayet on 10/20/2017. (Futhey, Robert) (Entered: 11/02/2017)
11/02/2017	<u>11</u>	AMENDED COMPLAINT with with jury demand against Defendant Leo Khayet, by Attorney Robert W. Futhey on behalf of Nebraska Data Centers, LLC(Futhey, Robert) (Entered: 11/02/2017)
11/06/2017	<u>12</u>	RESTRICTED DOCUMENT <i>Exhibit C to Amended Complaint</i> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 11/06/2017)
11/06/2017	<u>13</u>	MOTION to Restrict pursuant to the E-Government Act (<i>Filing No. 12</i>) by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Futhey, Robert) (Entered: 11/06/2017)
11/06/2017	14	TEXT ORDER granting <u>13</u> Motion to Restrict pursuant to the E-Government Act. Access to Exhibit C <u>12</u> to Plaintiff's Amended Complaint shall remain restricted to case participants and court users. Ordered by Magistrate Judge Michael D. Nelson. (SMN) (Entered: 11/06/2017)
11/13/2017	<u>15</u>	MOTION for Extension of Time to File a Responsive Pleading filed by Defendant Leo Khayet. (KLF) (Entered: 11/14/2017)
11/13/2017	<u>16</u>	2nd MOTION for Extension of Time to File a Responsive Pleading filed by Defendant Leo Khayet. (KLF) (Entered: 11/14/2017)
11/14/2017	<u>17</u>	BRIEF in opposition to MOTION for Extension of Time to File a Responsive Pleading <u>15</u> , MOTION for Extension of Time to File a Responsive Pleading <u>16</u> <i>in Part</i> by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # <u>1</u> Affidavit Declaration of Robert W. Futhey, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Futhey, Robert) (Entered: 11/14/2017)
11/14/2017	<u>18</u>	ORDER - Defendant's Motions for Leave to Request Extension to File Answer or Motion (Filing No. <u>15</u> and Filing No. <u>16</u>) are granted. Defendant shall file a responsive pleading to the Amended Complaint on or before December 11, 2017.

		Ordered by Magistrate Judge Michael D. Nelson. (Copy mailed to pro se party) (KLF) (Entered: 11/14/2017)
11/16/2017	19	MOTION to Compel <i>Plaintiff</i> on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit)(Khayet, Leo) (Entered: 11/16/2017)
11/16/2017	20	MOTION to Restrict pursuant to the E-Government Act <i>Exhibits</i> on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 11/16/2017)
11/17/2017	21	RESTRICTED MOTION <i>for Preliminary Injunction (Hearing and Expedited Decision Requested)</i> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2 (a). - by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 11/17/2017)
11/17/2017	22	RESTRICTED DOCUMENT <i>Brief in Support of Motion for Preliminary Injunction</i> regarding RESTRICTED MOTION <i>for Preliminary Injunction (Hearing and Expedited Decision Requested)</i> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - 21 ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Futhey, Robert) (Entered: 11/17/2017)
11/17/2017	23	MOTION to Restrict pursuant to the E-Government Act <i>Filing Nos. 21 and 22, and Exhibit 2-A</i> by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 11/17/2017)
11/17/2017	24	ATTACHMENT - CONTINUED regarding Restricted Brief 22 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. ATTACHMENT (CD) MAINTAINED IN CLERK'S OFFICE. (KLF) (Entered: 11/17/2017)
11/20/2017	25	INDEX RESTRICTED MOTION <i>for Preliminary Injunction (Hearing and Expedited Decision Requested)</i> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - 21 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit)(Futhey, Robert) (Entered: 11/20/2017)
11/21/2017	26	REASSIGNMENT ORDER - that this case is reassigned to the undersigned for disposition and to Magistrate Judge Cheryl R. Zwart for judicial supervision and

		processing of all pretrial matters. Ordered by Chief Judge Laurie Smith Camp. (KLF) (Entered: 11/21/2017)
11/21/2017	27	ORDER - Defendant's pro se motion to compel Robert W. Futhey and the Fraser, Stryker Law Firm to produce discovery showing they are actually authorized to represent Plaintiff in this litigation, (Filing No. 19), is denied. Defendant's motion to file his evidence as restricted access documents, (Filing No. 20), is denied. Ordered by Magistrate Judge Cheryl R. Zwart. (KLF) (Entered: 11/21/2017)
12/01/2017	28	TEXT ORDER Setting Hearing on RESTRICTED MOTION for Preliminary Injunction (Hearing and Expedited Decision Requested). Motion Hearing set for 12/7/2017 at 01:00 PM in Courtroom 2, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, NE before Chief Judge Laurie Smith Camp. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). 21 : Ordered by Chief Judge Laurie Smith Camp. (MKR) (Entered: 12/01/2017)
12/01/2017	29	AMENDED MOTION Delay Scheduling <i>Evidentiary Hearing</i> on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/01/2017)
12/02/2017	30	AMENDED MOTION to Continue <i>Response</i> on behalf of Defendant Leo Khayet. (Khayet, Leo) (Entered: 12/02/2017)
12/05/2017	31	BRIEF in opposition to AMENDED MOTION to Continue <i>Response</i> 30 , AMENDED MOTION Delay Scheduling <i>Evidentiary Hearing</i> 29 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 12/05/2017)
12/05/2017	32	MEMORANDUM AND ORDER that the Motion to Restrict Pursuant to the E-Government Act, ECF No. 23, submitted by Plaintiff Nebraska Data Centers, LLC, is granted; The filings at ECF No. 21 and 22 shall be restricted pursuant to the E-Government Act; The Motion with Regard to Scheduling of Evidentiary Hearing on Preliminary Injunction, ECF No. 29, submitted by Defendant Leo Khayet is denied, and the hearing remains scheduled for December 7, 2017, at 1:00, as described in ECF No. 28; and The Request for Continuance, ECF No. 30, submitted by Defendant Leo Khayet, is denied as moot, consistent with this Memorandum and Order. Ordered by Chief Judge Laurie Smith Camp. (ADB) (Entered: 12/05/2017)
12/07/2017	33	TEXT MINUTE ENTRY for proceedings held before Chief Judge Laurie Smith Camp. Motion Hearing held on 12/7/2017 regarding RESTRICTED MOTION for Preliminary Injunction (Hearing and Expedited Decision Requested) 21 . Defendant may file a responsive brief to the court by December 29, 2017. Plaintiff's may submit a reply brief by January 12, 2018. Hearing held in Omaha. Courtroom Deputy: Mary Roundtree; Reporter: Brenda Fauber; Appearance for Plaintiff: Robert W. Futhey and Neil Hassler; Appearance for Defendant: Benjamin E. Maxell; Time Start: 1:01 PM; Time Stop: 1:42 PM; Time in Court: 41 Minutes. (MKR) (Entered: 12/07/2017)
12/11/2017	34	JOINT STIPULATION to <i>Extend Answer Day</i> by Attorney Benjamin E. Maxell on behalf of Defendant Leo Khayet. (Attachments: # 1 Text of Proposed Order)(Maxell, Benjamin) (Entered: 12/11/2017)

12/11/2017	35	TEXT ORDER granting 34 Stipulation. Defendant shall file an answer or response to Plaintiff's Amended Complaint on or before December 26, 2017. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 12/11/2017)
12/12/2017	36	NOTICE of <i>Entry of Appearance</i> by Attorney Benjamin E. Maxell on behalf of Defendant Leo Khayet (Maxell, Benjamin) (Entered: 12/12/2017)
12/13/2017	37	TEXT ORDER: The Court has reviewed Case No. 15cv37, Gilkerson v. Nebraska Data Centers, LLC, and Case No. 17cv369, Nebraska Data Centers, LLC, v. Khayet, pursuant to the Notice of Related Case, ECF No. 108, filed in Case No. 15cv37, and finds that the cases are not related under NEGenR 1.4(a)(4)(C). Ordered by Chief Judge Laurie Smith Camp.(NFM) (Entered: 12/13/2017)
12/18/2017	38	PARTIAL TRANSCRIPT (UNREDACTED) of motion for preliminary injunction proceedings before Chief Judge Laurie Smith Camp held on December 7, 2017. Number of Billable Pages: 4. Total Number of Pages: 1 through 5. In accordance with the transcript redaction procedure, available at http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf , the transcript can only be viewed at the court's public terminal or purchased through Court Reporter Brenda L. Fauber at (402) 661-7322 or b.fauber@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 1/8/2018. Redacted Transcript Deadline set for 1/18/2018. Release of Transcript Restriction set for 3/19/2018. (BLF) Modified on 12/19/2017 to add the word "Partial" (MKR). Modified on 3/21/2018 to remove the restricted language from the docket text (KLF). (Entered: 12/18/2017)
12/19/2017	39	MOTION to Withdraw as Attorney by Attorney Benjamin E. Maxell on behalf of Defendant Leo Khayet.(Maxell, Benjamin) (Entered: 12/19/2017)
12/19/2017	40	MOTION for Contempt of Court Order by Defendant (<i>Hearing Requested</i>) by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Futhey, Robert) (Entered: 12/19/2017)
12/19/2017	41	STRICKEN - BRIEF in support of MOTION for Contempt of Court Order by Defendant (<i>Hearing Requested</i>) 40 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit A)(Futhey, Robert) Modified on 12/28/2017 to add "stricken" text pursuant to Order 54 .(JAB) (Entered: 12/19/2017)
12/20/2017	42	TEXT ORDER Setting Hearing on the MOTION to Withdraw as Attorney 39 and the MOTION for Contempt of Court Order by Defendant 40 . Motion Hearing set for 12/21/2017 at 02:30 PM in Courtroom 2, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, NE before Chief Judge Laurie Smith Camp.Ordered by Chief Judge Laurie Smith Camp. (MKR) (Entered: 12/20/2017)
12/20/2017	43	BRIEF in support of MOTION for Contempt of Court Order by Defendant (<i>Hearing Requested</i>) 40 Amended by Attorney Robert W. Futhey on behalf of

		Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit A)(Futhey, Robert) (Entered: 12/20/2017)
12/20/2017	44	MOTION to Strike Brief 41 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 12/20/2017)
12/21/2017	45	INDEX in support of MOTION for Contempt of Court Order by Defendant (<i>Hearing Requested</i>) 40 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit B)(Futhey, Robert) (Entered: 12/21/2017)
12/21/2017	46	TEXT MINUTE ENTRY for proceedings held before Chief Judge Laurie Smith Camp. Motion Hearing held on 12/21/2017. The 39 Motion to Withdraw as Attorney filed by Benjamin Maxell is granted. Defendant Leo Khayet, is proceeding pro se. The plaintiff's 40 Motion for Contempt of Court Order is denied. The court will enter a Temporary Restraining Order in this case. Written order forthcoming. Hearing held in Omaha. Courtroom Deputy: Mary Roundtree; Reporter: Brenda Fauber; Appearance for Plaintiff: Robert W. Futhey and Neil Hassler; Appearance for Defendant: Benjamin E. Maxell; Leo Khayet (pro se)Time Start: 2:33 PM; Time Stop: 3:12 PM; Time in Court: 39 Minutes. (MKR) (Entered: 12/21/2017)
12/22/2017	47	FINAL MOTION for Hearing <i>Telephonic Hearings</i> on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/22/2017)
12/25/2017	48	JOINT MOTION for Extension of Time to File a Responsive Pleading on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/25/2017)
12/26/2017	49	MOTION for Extension of Time to File a Responsive Pleading on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 RESTRICTED Exhibit 4, # 5 Exhibit 5)(Khayet, Leo) Modified on 12/27/2017 to add "ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a)" pending Judge approval. (JAB) Modified on 12/28/2017 to restrict pursuant to Order 54 . (JAB) (Entered: 12/26/2017)
12/26/2017	50	MOTION to Restrict pursuant to the E-Government Act on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/26/2017)
12/26/2017	51	MOTION for Hearing on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 12/26/2017)
12/26/2017	52	JOINT MOTION for Extension of Time to File a Responsive Pleading on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 12/26/2017)
12/27/2017	53	ORDER - Defendant Leo Khayet is precluded from contacting the principals of Plaintiff Nebraska Data Centers, LLC, including the trustees of the Ralph Edwards Trust and their immediate family members, and any vendors, clients, or customers of Nebraska Data Centers, LLC. Defendant Leo Khayet is precluded from contacting the employees and officers of Nebraska Data Centers, LLC. Defendant

		Leo Khayet may communicate with the parties listed in Appendix A of the Consulting Agreement, ECF No. 2 , Page ID 9, but is precluded from contacting any other persons or entities for the purpose of transacting any business or potential business related to Plaintiff Nebraska Data Centers, LLC. Ordered by Chief Judge Laurie Smith Camp. (Copy e-mailed to pro se party) (KLF) (Entered: 12/27/2017)
12/27/2017	54	TEXT ORDER: Plaintiff Nebraska Data Centers, LLC's, Motion to Strike Brief, ECF No. 44, is granted. Defendant Leo Khayet's Motion for Telephonic Hearings, ECF No. 47, is denied because no hearings are currently scheduled in this case. The Joint Motion for Extension of Time to File a Responsive Pleading, ECF No. 48, is granted, and Defendant Leo Khayet's Motion for Extension of Time to File a Responsive Pleading, ECF No. 49, is denied as moot. Defendant Leo Khayet's Motion to Restrict, ECF No. 50, is granted. Defendant Leo Khayet's Motion for Hearing, ECF No. 51, is denied, and the Joint Motion for Extension of Time to File a Responsive Pleading, ECF No. 52, is denied as moot. Defendant Leo Khayet must file an answer to the Amended Complaint on or before December 29, 2017; he may also, but is not required to, file a response brief regarding the pending Motion for Preliminary Injunction on or before December 29, 2017. Ordered by Chief Judge Laurie Smith Camp.(NFM) (Entered: 12/27/2017)
12/28/2017	55	MOTION Clarification Written Explanation Order 54 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/28/2017)
12/28/2017	56	MOTION to Strike on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/28/2017)
12/28/2017	57	AMENDED MOTION Clarification Written Explanation on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/28/2017)
12/28/2017	58	MOTION to Amend <i>Order</i> on behalf of Defendant Leo Khayet. (Attachments: # 1 Declaration, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3)(Khayet, Leo) (Entered: 12/28/2017)
12/29/2017	59	RESTRICTED MOTION for Reconsideration on behalf of Defendant Leo Khayet. (Attachments: # 1 Restrict, # 2 Original Motion #49, # 3 49.1, # 4 49.2, # 5 49.3, # 6 49.4, # 7 49.5) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Khayet, Leo) Modified on 1/2/2018 to provisionally restrict pursuant to LSC chambers (CS). (Entered: 12/29/2017)
12/29/2017	60	TRANSCRIPT (UNREDACTED) of hearing on motions before Chief Judge Laurie Smith Camp held on December 21, 2017. Pages 1 through 24. In accordance with the transcript redaction procedure, available at http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf .

		the transcript can only be viewed at the court's public terminal or purchased through Court Reporter Brenda L. Fauber at (402) 661-7322 or b.fauber@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 1/19/2018. Redacted Transcript Deadline set for 1/29/2018. Release of Transcript Restriction set for 3/29/2018. (BLF) Modified on 4/2/2018 to remove the restricted language from the docket text (KLF). (Entered: 12/29/2017)
12/29/2017	61	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 12/29/2017)
01/03/2018	62	MOTION to Dismiss <i>Preliminary Injunction</i> on behalf of Defendant Leo Khayet. (Khayet, Leo) (Entered: 01/03/2018)
01/04/2018	63	TEXT ORDER:Defendant Leo Khayet's Motion to Strike, ECF No. 56, is granted, and his Motion to Clarify, ECF No. 55, is denied as moot. Khayet's Amended Motion for Clarification, ECF No. 57, Motion to Amend Order, ECF No. 58, and Motion for Reconsideration, ECF No. 59, are summarily denied. Khayet's Motion to Dismiss for Failure to State a Claim, ECF No. 61, is dismissed for failure to comply with the Court's local rules, NECivR7.1(a)(1)(A). Khayet's Motion to Dismiss Preliminary Injunction, ECF No. 62, is not a cognizable motion and is, therefore, denied. Ordered by Chief Judge Laurie Smith Camp.(NFM) (Entered: 01/04/2018)
01/09/2018	64	REPLY BRIEF in support of RESTRICTED MOTION <i>for Preliminary Injunction (Hearing and Expedited Decision Requested)</i> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - 21 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit A)(Futhey, Robert) (Entered: 01/09/2018)
01/11/2018	65	*STRICKEN* MOTION for Leave on behalf of Defendant Leo Khayet.(Khayet, Leo) Modified on 1/29/2018 to strike per memorandum and order 76 . (LKO) (Entered: 01/11/2018)
01/11/2018	66	MOTION to Strike on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 01/11/2018)
01/11/2018	67	MOTION for Leave on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 01/11/2018)
01/11/2018	68	MOTION to Dismiss on behalf of Defendant Leo Khayet. (Attachments: # 1 Brief)(Khayet, Leo) (Entered: 01/11/2018)
01/11/2018	69	MOTION Motion to Enjoin by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 01/11/2018)
01/11/2018	70	BRIEF in support of MOTION Motion to Enjoin 69 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 01/11/2018)

01/11/2018	71	INDEX in support of MOTION Motion to Enjoin 69 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Futhey, Robert) (Entered: 01/11/2018)
01/11/2018	72	MOTION on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 01/11/2018)
01/25/2018	73	BRIEF in opposition to MOTION for Leave 67 , MOTION to Dismiss 68 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Futhey, Robert) (Entered: 01/25/2018)
01/26/2018	74	*STRICKEN* MOTION Brief Opposition on behalf of Defendant Leo Khayet. (Attachments: # 1 Index, # 2 Exhibit 1, # 3 Exhibit 2)(Khayet, Leo) Modified on 1/29/2018 to strike per Text Order 77 (KLF). (Entered: 01/26/2018)
01/26/2018	75	MOTION to Strike on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 01/26/2018)
01/26/2018	76	MEMORANDUM AND ORDER - The Motion for Preliminary Injunction, ECF No. 21 , filed by Plaintiff Nebraska Data Centers, LLC (NDC), is granted, in part. Pursuant to Federal Rule of Civil Procedure 65(c), NDC will post a bond in the amount of \$100. The Motion to Enjoin, ECF No. 69 , filed by Plaintiff NDC, is granted. Defendant Leo Khayet is enjoined from prosecuting the lawsuit he filed against Todd Cushing in the United States District Court for the District of Kansas titled <i>Khayet v. Cushing</i> , 2:17cv2624 (D. Kan. October 26, 2017). The Motion to Strike, ECF No. 66 , filed by Defendant Leo Khayet, is granted. The Motion for Leave, ECF No. 65 , filed by Defendant Leo Khayet, is stricken. The Motion for Leave, ECF No. 67 , filed by Defendant Leo Khayet, is denied. The Clerk will terminate the Motion to Dismiss pending at ECF No. 68 . The Motion for Clarification and Written Explanation of Order, ECF No. 72 , is denied. Any response by Defendant Leo Khayet to NDC's Amended Complaint must be filed on or before February 2, 2018. Ordered by Chief Judge Laurie Smith Camp. (Copy mailed to pro se party)(LKO) (Entered: 01/29/2018)
01/29/2018	77	TEXT ORDER granting 75 Motion to Strike. Ordered by Chief Judge Laurie Smith Camp. (Copy mailed to pro se party) (KLF) (Entered: 01/29/2018)
02/02/2018	78	MOTION to Dismiss on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 02/02/2018)
02/02/2018	79	BRIEF in support of MOTION to Dismiss 78 <i>Plaintiff's Amended Complaint</i> on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 02/02/2018)
02/05/2018	80	NOTICE of regarding Order on Motion for Leave,,,,, Order on Motion to Strike,,,,,, Order on Motion to Dismiss,,,,, Order on Motion for Miscellaneous Relief,,,,,, Order on Restricted Motion,,, 76 on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 02/05/2018)
02/09/2018	81	MOTION to Stay regarding Notice (Other), 80 on behalf of Defendant Leo Khayet. (Attachments:

		# 1 Exhibit 1, # 2 Exhibit 2)(Khayet, Leo) (Entered: 02/09/2018)
02/16/2018	82	MOTION Disqualify Plaintiff's Counsel on behalf of Defendant Leo Khayet. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Khayet, Leo) Modified on 2/16/2018 to restrict pending judge approval (BMH). (Entered: 02/16/2018)
02/16/2018	83	BRIEF in support of MOTION Disqualify Plaintiff's Counsel 82 on behalf of Defendant Leo Khayet. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2 (a). (Khayet, Leo) Modified on 2/16/2018 to restrict pending judge approval (BMH). (Entered: 02/16/2018)
02/16/2018	84	INDEX in support of Brief 83 on behalf of Defendant Leo Khayet. (Attachments: # 1 Decalaration, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2 (a). (Khayet, Leo) Modified on 2/16/2018 to restrict pending judge approval (BMH). (Entered: 02/16/2018)
02/16/2018	85	MOTION to Restrict pursuant to the E-Government Act on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 02/16/2018)
02/22/2018	86	TEXT ORDER granting 85 Motion to Restrict pursuant to the E-Government Act Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 02/22/2018)
02/22/2018	87	NOTICE of Related Case on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F,

		# 7 Exhibit G, # 8 Exhibit H)(Khayet, Leo) (Entered: 02/22/2018)
02/22/2018	88	MOTION to Restrict pursuant to the E-Government Act on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 02/22/2018)
02/23/2018	89	MOTION to Strike <i>Exhibit G</i> 87.7 on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit G)(Khayet, Leo) (Entered: 02/23/2018)
02/23/2018	90	TEXT ORDER: The Motion to Stay, ECF No. 81, filed by Defendant Leo Khayet is denied. The Court has already found that this case is not related to Gilkerson v. Nebraska Colocation Centers, L.L.C., Case No. 15cv37, under NEGenR. 1.4(a)(4) (C)(iii), see ECF No. 37; thus, Khayet's Notice of Related Case, ECF No. 87, is dismissed. Khayet's Motion to Restrict, ECF No. 88, and Motion to Strike, ECF No. 89, are granted. Ordered by Chief Judge Laurie Smith Camp.(Copy mailed/e-mailed to pro se party)(NFM) (Entered: 02/23/2018)
02/23/2018	91	BRIEF in opposition to MOTION to Dismiss 78 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Futhey, Robert) (Entered: 02/23/2018)
03/02/2018	92	BRIEF in opposition to MOTION Disqualify Plaintiff's Counsel 82 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 03/02/2018)
03/02/2018	93	MOTION Initiate Disciplinary Proceedings on behalf of Defendant Leo Khayet. (Khayet, Leo) (Entered: 03/02/2018)
03/03/2018	94	MOTION for Sanctions Under Fed. R. Civ. P. 11 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 03/03/2018)
03/03/2018	95	MOTION to Show Cause by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 03/03/2018)
03/03/2018	96	BRIEF in support of MOTION for Sanctions Under Fed. R. Civ. P. 11 94 , MOTION to Show Cause 95 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit Exhibit A)(Futhey, Robert) (Entered: 03/03/2018)
03/09/2018	97	REPLY BRIEF in support of MOTION Disqualify Plaintiff's Counsel 82 on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit1)(Khayet, Leo) (Entered: 03/09/2018)
03/13/2018	98	NOTICE of on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Khayet, Leo) (Entered: 03/13/2018)
03/16/2018	99	BRIEF in opposition to MOTION Initiate Disciplinary Proceedings 93 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 03/16/2018)

03/20/2018	100	NOTICE of regarding MOTION for Sanctions Under Fed. R. Civ. P. 11 94 , Brief, 96 , MOTION to Show Cause 95 on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 03/20/2018)
03/20/2018	101	STIPULATION regarding MOTION for Sanctions Under Fed. R. Civ. P. 11 94 , MOTION to Show Cause 95 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 03/20/2018)
03/21/2018	102	TEXT ORDER granting 101 Stipulation. Mr. Khayet's Brief Opposing Plaintiff's Motion for Sanctions and Motion to Show Cause 94 and 95 shall be filed on or before March 23, 2018. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 03/21/2018)
03/22/2018	103	NOTICE of on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 03/22/2018)
03/23/2018	104	INDEX in support of on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhbibit 7)(Khayet, Leo) (Entered: 03/23/2018)
03/23/2018	105	MOTION to Strike on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 03/23/2018)
03/23/2018	106	BRIEF in opposition to MOTION to Strike 105 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 03/23/2018)
03/23/2018	107	NOTICE of on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 03/23/2018)
03/23/2018	108	*STRICKEN* MOTION to Extend MOTION Initiate Disciplinary Proceedings 93 on behalf of Defendant Leo Khayet.(Khayet, Leo) Modified on 3/23/2018 (Zwart, Cheryl). (Entered: 03/23/2018)
03/23/2018	109	MOTION to Strike on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 03/23/2018)
03/23/2018	110	MOTION to Extend MOTION Initiate Disciplinary Proceedings 93 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 03/23/2018)
03/23/2018	111	TEXT ORDER granting 110 Motion to Extend. Defendant's deadline for filing a reply to his Motion to Initiate Disciplinary Procedures (Doc. 93) is extended to March 26, 2018. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 03/23/2018)
03/23/2018	112	TEXT ORDER granting 109 Motion to Strike. Defendant's Motion to Extend 108 is stricken. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 03/23/2018)

03/24/2018	113	BRIEF in opposition to MOTION for Sanctions Under Fed. R. Civ. P. 11 94 , Brief, 96 , MOTION to Show Cause 95 on behalf of Defendant Leo Khayet. (Khayet, Leo) (Entered: 03/24/2018)
03/24/2018	114	STRICKEN (see filing 141) DECLARATION regarding Brief 113 on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Khayet, Leo) Modified on 4/24/2018 (Zwart, Cheryl). (Entered: 03/24/2018)
03/27/2018	115	MOTION to Extend MOTION Initiate Disciplinary Proceedings 93 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 03/27/2018)
03/27/2018	116	MOTION to Strike Declaration 114 on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 03/27/2018)
03/27/2018	117	MOTION to Strike MOTION to Strike Declaration 114 116 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 03/27/2018)
03/27/2018	118	BRIEF in opposition to MOTION to Extend MOTION Initiate Disciplinary Proceedings 93 115 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit A)(Futhey, Robert) (Entered: 03/27/2018)
03/29/2018	119	MOTION Compel Preservation of Documents on behalf of Defendant Leo Khayet. (Khayet, Leo) (Entered: 03/29/2018)
03/29/2018	120	BRIEF in support of MOTION Compel Preservation of Documents 119 on behalf of Defendant Leo Khayet. (Attachments: # 1 Declaration, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3)(Khayet, Leo) (Entered: 03/29/2018)
03/29/2018	121	REPLY BRIEF in support of MOTION for Sanctions Under Fed. R. Civ. P. 11 94 , MOTION to Show Cause 95 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit Exhibit A)(Futhey, Robert) (Entered: 03/29/2018)
03/30/2018	122	MOTION Religious Accommodation on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 03/30/2018)
03/30/2018	123	TEXT ORDER: Interpreted as a motion to continue any deadlines for Defendant that may arise between March 30 and April 7, 2018, the court grants Defendant's 122 Motion. As to Defendant, any filing or case progression deadlines that would arise between March 30, 2018 and April 7, 2018 are extended to April 10, 2018. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 03/30/2018)
03/30/2018	124	NOTICE of on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 03/30/2018)


04/10/2018	125	MOTION STATUS CONFERENCE on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 04/10/2018)
04/10/2018	126	MOTION Hold Scheduling Conference to Clarify Docket Deadlines and Hearings on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 04/10/2018)
04/11/2018	127	MOTION for Case Management Conference on behalf of Defendant Leo Khayet. (Khayet, Leo) (Entered: 04/11/2018)
04/12/2018	128	BRIEF in opposition to Brief 120 <i>Plaintiff's Motion to Compel Preservation of Documents</i> by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit A)(Futhey, Robert) (Entered: 04/12/2018)
04/12/2018	129	STRICKEN (see filing 141) BRIEF in opposition to MOTION Hold Scheduling Conference to Clarify Docket Deadlines and Hearings 126 , MOTION for Case Management Conference 127 , MOTION STATUS CONFERENCE 125 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Futhey, Robert) Modified on 4/24/2018 (Zwart, Cheryl). (Entered: 04/12/2018)
04/12/2018	130	BRIEF in opposition to MOTION Hold Scheduling Conference to Clarify Docket Deadlines and Hearings 126 , MOTION for Case Management Conference 127 , MOTION STATUS CONFERENCE 125 <i>AMENDED</i> by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 04/12/2018)
04/12/2018	131	MOTION to Strike Brief, 129 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 04/12/2018)
04/20/2018	134	MOTION to Strike Notice (Other) 132 on behalf of Defendant Leo Khayet. (Khayet, Leo) (Entered: 04/20/2018)
04/20/2018	137	MOTION to Restrict pursuant to the E-Government Act on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 04/20/2018)
04/23/2018	139	MOTION to Strike Notice (Other) 138 on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 04/23/2018)
04/24/2018	140	NOTICE of regarding MOTION to Strike Notice (Other) 138 139 , Notice (Other) 138 on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Khayet, Leo) (Entered: 04/24/2018)
04/24/2018	141	MEMORANDUM AND ORDER denying 82 Motion to Disqualify; denying 93 Motion to Initiate Disciplinary Proceedings; denying 95 Motion to Show Cause; denying as moot 105 Motion to Strike; denying 115 Motion to Extend; granting 116 Motion to Strike; denying as moot 117 Motion to Strike; denying 119 Motion to Compel Preservation of Documents; denying 125 Motion for a Status Conference;

		denying 126 Motion for a Scheduling Conference; denying 127 Motion for Case Management Conference; granting 131 Motion to Strike; granting 134 Motion to Strike; granting 137 Motion to Restrict pursuant to the E-Government Act; and granting 139 Motion to Strike. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 04/24/2018)
04/30/2018	142	NOTICE of <i>Participation of Benjamin Stern</i> on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 04/30/2018)
04/30/2018	143	MOTION to Strike Order on Motion for Miscellaneous Relief,,,,,,,,, Order on Motion to Strike,,,, Order on Motion to Extend,,,,,,,,,,,,,,,,,,,,, Order on Motion to Restrict pursuant to the E-Government Act,,,,,,,,, 141 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 04/30/2018)
04/30/2018	144	NOTICE of Change of Address on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 04/30/2018)
05/02/2018	145	ORDER - Defendant Khayet is prohibited from initiating any direct contact with my chambers, whether by email, telephone, or in person. Any violation of this order will subject Defendant to sanctions. If Defendant Khayet is requesting specific relief from the court: a. The subject of the request must concern the progression, discovery, and/or merits of the above-captioned case, and b. The request must be made by motion in accordance with the court's local rules, and filed of record on the court's electronic docket using CM/ECF. Ordered by Magistrate Judge Cheryl R. Zwart. (KLF) (Entered: 05/02/2018)
05/03/2018	146	NOTICE of on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 05/03/2018)
05/09/2018	147	MOTION Objection regarding Order on Motion for Miscellaneous Relief,,,,,,,,, Order on Motion to Strike,,,, Order on Motion to Extend,,,,,,,,,,,,,,,,,,,,, Order on Motion to Restrict pursuant to the E-Government Act,,,,,,,,, 141 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 05/09/2018)
05/09/2018	148	NOTICE of regarding MOTION Objection regarding Order on Motion for Miscellaneous Relief,,,,,,,,, Order on Motion to Strike,,,, Order on Motion to Extend,,,,,,,,,,,,,,,,,,,,, Order on Motion to Restrict pursuant to the E-Government Act,,,,,,,,, 141 147 on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 05/09/2018)
05/10/2018	149	MOTION Extension of Time to File an Appeal regarding Order on Motion for Miscellaneous Relief,,,,,,,,, Order on Motion to Strike,,,, Order on Motion to Extend,,,,,,,,,,,,,,,,,,,,, Order on Motion to Restrict pursuant to the E-Government Act,,,,,,,,, 141 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 05/10/2018)
05/10/2018	150	ORDER - that Defendant's motion for additional time to appeal the Filing No. 141 order, (Filing No. 149), is denied as moot. Ordered by Magistrate Judge Cheryl R. Zwart. (KLF) (Entered: 05/10/2018)
05/10/2018	151	

		MOTION for Reconsideration regarding Order on Motion for Miscellaneous Relief 150 on behalf of Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Khayet, Leo) (Entered: 05/10/2018)
05/10/2018	152	ORDER denying 151 Motion for Reconsideration. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 05/10/2018)
05/10/2018	153	BRIEF in opposition to MOTION Objection regarding Order on Motion for Miscellaneous Relief,,,,,,,,,,,,, Order on Motion to Strike,,,,, Order on Motion to Extend,,,,,,,,,,,,,,,,,,,,,,,,,,,,, Order on Motion to Restrict pursuant to the E-Goverment Act,,,,,,,,, 141 147 and opposition to Filing Nos. 149 and 151 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Futhey, Robert) (Entered: 05/10/2018)
05/10/2018	154	STRICKEN MOTION for Reconsideration regarding Order on Motion for Reconsideration 152 on behalf of Defendant Leo Khayet.(Khayet, Leo) Modified on 5/14/2018 to strike per Order 159 (KLF). (Entered: 05/10/2018)
05/10/2018	155	MOTION to Strike MOTION for Reconsideration regarding Order on Motion for Reconsideration 152 154 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 05/10/2018)
05/10/2018	156	MOTION for Reconsideration regarding Order on Motion for Reconsideration 152 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 05/10/2018)
05/10/2018	157	NOTICE of on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 05/10/2018)
05/10/2018	158	MEMORANDUM AND ORDER - The Motion to Dismiss, ECF No. 78 , filed by Defendant Leo Khayet, is granted, in part, as follows: a. Plaintiff Nebraska Data Centers, LLC's, claims under Nebraska law against Defendant Leo Khayet for breach of the Confidentiality Agreement, unfair competition, and common-law trademark infringement are dismissed, with prejudice; b. Plaintiff Nebraska Data Centers, LLC's, claims under Nebraska law for fraudulent misrepresentation, negligent misrepresentation, and a violation of § 59-805 of the Junkin Act are dismissed, without prejudice. The Motion is otherwise denied. Plaintiff Nebraska Data Centers may, but is not required to, amend its Amended Complaint in accordance with this Memorandum and Order on or before May 25, 2018. If NDC does not file a second amended complaint, Defendant Leo Khayet must file an answer to the Amended Complaint on or before June 4, 2018. The Motion for Sanctions, ECF No. 94 , filed by Plaintiff Nebraska Data Centers, LLC, is denied, without prejudice and subject to reassertion. The Motion to Strike Order, ECF No. 143 , and the Objection to Order, ECF No. 147 , filed by Defendant Leo Khayet, are denied. Ordered by Chief Judge Laurie Smith Camp. (KLF) (Entered: 05/11/2018)
05/14/2018	159	ORDER - Defendant's motion to strike, (Filing No. 155), is granted and his motion for reconsideration, (Filing No. 154), is stricken. Defendant's motion for reconsideration and for recusal, (Filing No. 156), is denied. Ordered by Magistrate Judge Cheryl R. Zwart. (KLF) (Entered: 05/14/2018)
05/21/2018	160	

		MOTION Uniform Answers on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 05/21/2018)
05/21/2018	161	TEXT ORDER: Defendant's motion to require the Clerk to assign a clerk's office supervisor as the person responsible for answering Defendant Khayet's procedural inquiries, 160 , is denied. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 05/21/2018)
05/21/2018	162	MOTION To Strike Motion 160 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 05/21/2018)
05/21/2018	163	MOTION Uniform Answers from Clerks Office on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 05/21/2018)
05/21/2018	164	TEXT ORDER: Defendant's motion to require the Clerk to assign a clerk's office supervisor as the person responsible for answering Defendant Khayet's procedural inquiries, 163 , is denied. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 05/21/2018)
05/21/2018	165	TEXT ORDER denying as moot 162 Motion to Strike filing 160 . The court has already ruled on that motion. See 161 . Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 05/21/2018)
05/25/2018	166	SECOND AMENDED COMPLAINT with with jury demand against Defendant All Plaintiffs, by Attorney Robert W. Futhey on behalf of Nebraska Data Centers, LLC(Futhey, Robert) Modified on 5/25/2018 to correct event to Second Amended Complaint (KLF). (Entered: 05/25/2018)
05/25/2018	167	Summons Requested as to Timber Ventures, LLC regarding Amended Complaint 166 . (Futhey, Robert) (Entered: 05/25/2018)
05/25/2018	168	TEXT NOTICE REGARDING CORPORATE DISCLOSURE STATEMENT by Deputy Clerk as to Plaintiff American Nebraska Limited Partnership. Pursuant to Fed. R. Civ. P. 7.1, non-governmental corporate parties are required to file Corporate Disclosure Statements (Statements). The parties shall use the form Corporate Disclosure Statement, available on the Web site of the court at http://www.ned.uscourts.gov/forms/ . If you have not filed your Statement, you must do so within 15 days of the date of this notice. If you have already filed your Statement in this case, you are reminded to file a Supplemental Statement within a reasonable time of any change in the information that the statement requires. (KLF) (Entered: 05/25/2018)
05/25/2018	169	Summons Issued as to defendant Timber Ventures, LLC. YOU MUST PRINT YOUR ISSUED SUMMONS, WHICH ARE ATTACHED TO THIS DOCUMENT. PAPER COPIES WILL NOT BE MAILED. (KLF) (Entered: 05/25/2018)
06/05/2018	170	MOTION Disclosure Pursuant to F. Rule 26(a)1(A) on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 06/05/2018)
06/05/2018	171	SUMMONS Returned Executed upon defendant Timber Ventures, LLC on 5/29/2018. (Futhey, Robert) (Entered: 06/05/2018)

06/05/2018	172	CORPORATE DISCLOSURE STATEMENT pursuant to Fed. R. Civ. P. 7.1 <i>for Plaintiff, American Nebraska Limited Partnership</i> by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 06/05/2018)
06/06/2018	173	MOTION Restore Justice on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 06/06/2018)
06/06/2018	174	MOTION for Sanctions under 28 U.S.C. s. 1927 and the Court's Inherent Power by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 06/06/2018)
06/06/2018	175	BRIEF in opposition to MOTION Disclosure Pursuant to F. Rule 26(a)1(A) 170 , MOTION Restore Justice 173 and in support of Motion for Sanctions 174 by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 06/06/2018)
06/07/2018	176	NOTICE of <i>Exigent Filing in District of Kansas 2:17-CV-02624</i> on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Khayet, Leo) (Entered: 06/07/2018)
06/11/2018	177	ORDER that the deadline for Defendants to answer or otherwise respond to Plaintiffs' Second Amended Complaint (Filing No. 166) is June 15, 2018. The clerk shall set a case management deadline for June 18, 2018. Ordered by Magistrate Judge Cheryl R. Zwart. (ADB) (Entered: 06/11/2018)
06/11/2018	178	TEXT ORDER: The court's order at Filing No. 177 is amended as follows: The deadline for Defendant Khayet to answer or otherwise respond to Plaintiffs' Second Amended Complaint is June 15, 2018 . The deadline for Defendant Timber Ventures, LLC to answer or otherwise respond to Plaintiffs' Second Amended Complaint is June 19, 2018 . Ordered by Magistrate Judge Cheryl R. Zwart. (Copy mailed/e-mailed to pro se party)(JLK) (Entered: 06/11/2018)
06/14/2018	180	ORDER TO SHOW CAUSE: A Show Cause hearing is set for <u>6/19/2018 at 3:00 PM</u> by Telephone before Magistrate Judge Cheryl R. Zwart. Any documents supporting Defendant Khayet's show cause filing shall be electronically docketed in this case on or before 5:00 p.m. on June 18, 2018. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 06/14/2018)
06/14/2018	181	MOTION Stay and Vacate on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 06/14/2018)
06/15/2018	182	MEMORANDUM AND ORDER - The Motion for Immediate Stay and to Vacate Orders, ECF No. 181 , filed by Defendant Leo Khayet, is denied. Ordered by Chief Judge Laurie Smith Camp. (KLF) (Entered: 06/15/2018)
06/16/2018	183	MOTION for Reconsideration regarding Order on Motion for Miscellaneous Relief 182 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 06/16/2018)
06/19/2018	184	TEXT ORDER: The Motion to Reconsider, ECF No. 183, filed by Defendant Leo Kahyet, is denied. Ordered by Chief Judge Laurie Smith Camp. (Entered: 06/19/2018)

06/19/2018	185	MOTION for Reconsideration regarding Order on Motion for Miscellaneous Relief 182 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 06/19/2018)
06/19/2018	186	MOTION to Strike MOTION for Reconsideration regarding Order on Motion for Miscellaneous Relief 182 185 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 06/19/2018)
06/19/2018	187	NOTICE of regarding Order to Show Cause,, Set/Reset All Hearings, 180 on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 06/19/2018)
06/19/2018	188	TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Cheryl R. Zwart in Lincoln on 6/19/2018. Telephonic Show Cause hearing held. Findings and deadlines stated on the record. Order forthcoming. Courtroom Deputy: Jeri A. Bierbower. Reporter: Digital Recorder. Appearance for Plaintiff: Robert Futhey; For Defendants: Not present. Time Start: 3:01 PM; Time Stop: 3:10 PM; Time in Court: 9 Minutes. (JAB) (Entered: 06/19/2018)
06/19/2018	189	 AUDIO FILE. Court Date & Time [06/19/2018 3:01:12 PM]. File Size [2071 KB]. Run Time [00:08:38]. (Show Cause hearing). (auto-docket). (Entered: 06/19/2018)
06/21/2018	190	MOTION Affirm NEGenR 1.1(c) and FRCPR 1 on behalf of Defendant Leo Khayet.(Khayet, Leo) (Entered: 06/21/2018)
06/21/2018	191	NOTICE of regarding MOTION for Sanctions under 28 U.S.C. s. 1927 and the Court's Inherent Power 174 by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC (Futhey, Robert) (Entered: 06/21/2018)
06/21/2018	192	TEXT ORDER: The second Motion for Reconsideration, ECF No. 185; the Motion to Strike the first Motion for Reconsideration, ECF No. 186, which has already been denied; and the Motion Affirm NEGenR. 1.1(c) and FRCPR 1, ECF No. 190, are summarily denied. Ordered by Chief Judge Laurie Smith Camp. (Entered: 06/21/2018)
06/22/2018	193	MEMORANDUM AND ORDER - Defendant Khayet's Motion to Compel Rule 26 (a)(1)(A) Disclosures, (Filing No. 170), is denied. Defendant Khayet's Motion to Restore Justice, (Filing No. 173), is denied. Ordered by Magistrate Judge Cheryl R. Zwart. (KLF) (Entered: 06/22/2018)
06/25/2018	194	SUMMONS Returned Executed upon defendant Timber Ventures, LLC. (Futhey, Robert) (Entered: 06/25/2018)
06/25/2018	195	FINDINGS AND RECOMMENDATION AND ORDER - IT IS RECOMMENDED to the Honorable Laurie Smith Camp, United States District Judge, pursuant to 28 U.S.C. § 636(b), that: A default judgment be entered against Defendants without further notice as follows. Ordered by Magistrate Judge Cheryl R. Zwart. (Copies mailed as directed)(SLP) (Entered: 06/25/2018)
06/26/2018	196	NOTICE of <i>Fraud Upon the Court</i> on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 06/26/2018)
06/27/2018	197	NOTICE of regarding Notice (Other) 196 on behalf of Defendant Leo Khayet (Khayet, Leo) (Entered: 06/27/2018)

07/06/2018	198	MEMORANDUM AND ORDER - Plaintiffs' motion, (Filing No. 174), is granted. Plaintiffs are entitled to reimbursement of attorney's fees and expenses incurred in preparing their motion for sanctions and in responding to Khayet's motion for Rule 26 disclosures, (Filing No. 170), and his motion to restore justice, (Filing No. 173). On or before July 19, 2018, Khayet shall file a response to Plaintiffs' notice that the fees requested total \$750.00, (Filing No. 191), in the absence of which, \$750.00 will be awarded to Plaintiffs and against Defendant Khayet without further notice. If Khayet objects to Plaintiffs' \$750.00 fee request, a) Plaintiffs shall file a motion for assessment of recoverable attorney fees and costs by no later than August 3, 2018. The explanation of fees included within that motion shall be submitted in accordance with the court's fee application guidelines outlined in Nebraska Civil Rules 54.3 and 54.4. b) If a formal and disputed motion for assessment of recoverable fees is required, the prevailing party may be awarded up to \$1,000 for its costs and fees in litigating this fee issue. Ordered by Magistrate Judge Cheryl R. Zwart. (KLF) (Entered: 07/06/2018)
07/09/2018	199	NOTICE of on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 07/09/2018)
07/10/2018	200	MEMORANDUM AND ORDER: The Findings and Recommendation issued by Magistrate Judge Cheryl R. Zwart, ECF No. 195 , are modified in accordance with this Memorandum and Order; Defendants Leo Khayet and Timber Ventures, LLC, must file an answer to the Second Amended Complaint on or before July 17, 2018; and The Clerk of Court shall mail a copy of this Memorandum and Order to Defendants Leo Khayet and Timber Ventures, LLC, at their last known addresses. Ordered by Chief Judge Laurie Smith Camp. (Copies mailed as directed)(ADB) (Entered: 07/10/2018)
07/18/2018	201	TEXT ORDER - Defendants Leo Khayet and Timber Ventures, LLC, failed to file an answer to the Second Amended Complaint by the date provided in the Court's previous Memorandum and Order, ECF No. 200. Accordingly, the Clerk of Court is directed to enter default against Defendants Leo Kahyet and Timber Ventures, LLC, pursuant to Federal Rule of Civil Procedure 55(a). Ordered by Chief Judge Laurie Smith Camp. (Copies mailed to defendants)(TCL) (Entered: 07/18/2018)
07/18/2018	202	NOTICE of <i>EMERGENCY</i> on behalf of Defendant Leo Khayet (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Khayet, Leo) (Entered: 07/18/2018)
07/18/2018	203	CLERK'S ENTRY OF DEFAULT as to Defendants Leo Khayet, Timber Ventures, LLC. Ordered by Deputy Clerk. (Copies mailed to defendants)(TCL) (Entered: 07/18/2018)
07/20/2018	204	RESTRICTED ACCESS: Index of Emails from Khayet. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Additional attachment(s) added on 7/23/2018: # 1 Bookmarked Version of Filing 204, nothing further changed on filing 204.) (JLS) (Entered: 07/20/2018)
07/20/2018	205	RESTRICTED ORDER: Defendant Khayet, both personally and on behalf of Defendant Timber Ventures, LLC, is prohibited from initiating any contact with the Clerk of the United States District Court for the District of Nebraska, or any employees of the Clerk's Office, whether by email, telephone, or in person.

		Any violation of this order will subject Defendant to sanctions. All communications with the above named Clerk's office, even as to matters Khayet considers "procedural," shall be filed on the courts electronic docket. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 07/20/2018)
07/23/2018	206	MOTION for Default Judgment against Leo Khayet and Timber Ventures, LLC by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 07/23/2018)
07/23/2018	207	BRIEF in support of MOTION for Default Judgment against Leo Khayet and Timber Ventures, LLC 206 by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC. (Attachments: # 1 Affidavit Declaration of Robert W. Futhey)(Futhey, Robert) (Entered: 07/23/2018)
07/23/2018	208	ORDER - Defendant Leo Khayet shall appear before the Court, in person, on Wednesday July 25, 2018, at 1:00 p.m., and show cause why he should not be held in civil and/or criminal contempt of court. Ordered by Chief Judge Laurie Smith Camp. (Copy mailed to Timber Ventures, LLC) (KLF) (Entered: 07/23/2018)
07/25/2018	209	MOTION EMERGENCY STAY regarding Order Setting Hearing or Trial, 208 on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Khayet, Leo) (Entered: 07/25/2018)
07/25/2018	210	INDEX <i>Related to 7-25-18 Show Cause Hearing</i> by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC. (Attachments: # 1 Exhibit 7/21/18 Email from Leo Khayet)(Futhey, Robert) (Entered: 07/25/2018)
07/25/2018	211	TEXT ORDER denying the Motion for an Emergency Stay, ECF No. 209. Ordered by Chief Judge Laurie Smith Camp(Copy mailed/e-mailed to pro se party) (Entered: 07/25/2018)
07/25/2018	212	TEXT MINUTE ENTRY for proceedings held before Chief Judge Laurie Smith Camp. Show Cause Hearing held on 7/25/2018. Having been found in Civil Contempt of the Court's Orders ECF 145 and 205 the Court finds the Defendant, Leo Khayet, must post a \$5,000 bond by mailing a cashier's check to the Clerk of Court by the close of business on or before July 30, 2018 at 4:30 p.m. The Clerk will hold the funds for the duration of cases 8:17cv369 and 8:18cv330. Any further violations of the Court's orders, the fund will be forfeited following a further hearing. If there are no further acts of contempt, the Defendant may seek the return of the money. If no bond is posted, further action will be taken, up to and including dismissal of both cases. The court will assess the costs that have been incurred by the plaintiff's counsel in connection with this hearing. Plaintiff's counsel may seek it from the defendant directly or from the \$5,000 bond that will be posted. The Clerk is directed to file ECF Orders 145 and 205 in case 8:18cv330. Hearing held in Omaha. Courtroom Deputy: Mary Roundtree; Reporter: Brenda Fauber ; Appearance for Plaintiff: Robert W. Futhey and Neil P. Hassler, Retained: Defendant Leo Khayet appeared via telephone. Time Start: 1:02 PM; Time Stop: 1:46 PM; Time in Court: 44 Minutes. (MKR) (Entered: 07/26/2018)

07/25/2018	213	EXHIBIT LIST from hearing held on 7/25/2018 regarding Minutes, Filing. 212 Show Cause Hearing.(MKR) (Entered: 07/26/2018)
07/27/2018	214	MOTION Denise M. Lucks to Affirm and Assist w. Notice of Appeal on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Brief, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7)(Khayet, Leo) (Entered: 07/27/2018)
07/28/2018	215	ORDER regarding 214 request for procedural steps that need to be followed to file a Notice of Appeal. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 07/28/2018)
07/30/2018	216	NOTICE of on behalf of Defaulted Defendant Leo Khayet (Khayet, Leo) (Entered: 07/30/2018)
07/30/2018	217	MOTION Motion Clarification by Judge Zwart on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Khayet, Leo) (Entered: 07/30/2018)
07/30/2018	218	BRIEF in support of MOTION Motion Clarification by Judge Zwart 217 on behalf of Defaulted Defendant Leo Khayet.(Khayet, Leo) (Entered: 07/30/2018)
07/30/2018	219	TEXT ORDER: The Motion to have the Clerk of Court Affirm and Assist with Notice of Appeal, ECF No. 214, is denied. Ordered by Chief Judge Laurie Smith Camp.(Copy mailed/e-mailed to pro se party) (Entered: 07/30/2018)
07/30/2018	220	MOTION Clarify Reassignment Order 26 on behalf of Defaulted Defendant Leo Khayet.(Khayet, Leo) (Entered: 07/30/2018)
07/30/2018	221	BRIEF in support of MOTION Clarify Reassignment Order 26 220 on behalf of Defaulted Defendant Leo Khayet.(Khayet, Leo) (Entered: 07/30/2018)
07/31/2018	222	ORDER denying motions 217 and 220 . Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 07/31/2018)
08/02/2018	223	MOTION Submit Exhibits regarding Brief 221 on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Khayet, Leo) (Entered: 08/02/2018)
08/02/2018	224	NOTICE of on behalf of Defaulted Defendant Leo Khayet (Khayet, Leo) (Entered: 08/02/2018)
08/02/2018	225	

		TEXT ORDER: Motion 220 was denied on July 31, 2018. Defendant Khayets Motion 223 requesting leave to submit exhibits regarding his brief in support of Motion 220 is denied as moot. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) Modified on 8/3/2018 to reflect copy mailed to pro se parties. (JAB) (Entered: 08/02/2018)
08/06/2018	226	TRANSCRIPT (UNREDACTED) of contempt show cause proceedings before Chief Judge Laurie Smith Camp held on July 25, 2018. Pages 1 through 25. In accordance with the transcript redaction procedure, available at http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf , the transcript can only be viewed at the court's public terminal or purchased through Court Reporter Brenda L. Fauber at (402) 661-7322 or b.fauber@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). Redaction Request due 8/27/2018. Redacted Transcript Deadline set for 9/6/2018. Release of Transcript Restriction set for 11/5/2018. (BLF) (Entered: 08/06/2018)
08/10/2018	227	MOTION Sanctions and Entry of Judgment Against Leonid Khayet and Timber Ventures, LLC by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 08/10/2018)
08/10/2018	228	BRIEF in support of MOTION Sanctions and Entry of Judgment Against Leonid Khayet and Timber Ventures, LLC 227 by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 08/10/2018)
08/10/2018	229	MOTION for Attorney Fees <i>Pursuant to the July 25, 2018 Show Cause Hearing</i> by Attorney Robert W. Futhey on behalf of Plaintiff Nebraska Data Centers, LLC. (Attachments: # 1 Declaration of Robert W. Futhey)(Futhey, Robert) (Entered: 08/10/2018)
08/13/2018	230	NOTICE of <i>Emergency Judicial Notice</i> on behalf of Defaulted Defendant Leo Khayet (Khayet, Leo) (Entered: 08/13/2018)
08/14/2018	232	RESPONSE regarding MOTION for Default Judgment against Leo Khayet and Timber Ventures, LLC 206 on behalf of Defaulted Defendant Leo Khayet.(Khayet, Leo) (Entered: 08/14/2018)
08/15/2018	233	INDEX in support of Index, 231 on behalf of Defaulted Defendant Leo Khayet. (Khayet, Leo) (Entered: 08/15/2018)
08/15/2018	234	MOTION to Strike Index, 231 , MOTION to Restrict pursuant to the E-Government Act by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 08/15/2018)
08/15/2018	235	BRIEF in support of MOTION to Strike Index, 231 MOTION to Restrict pursuant to the E-Government Act 234 by Attorney Robert W. Futhey on behalf of Plaintiffs

		American Nebraska Limited Partnership, Nebraska Data Centers, LLC.(Futhey, Robert) (Entered: 08/15/2018)
08/15/2018	236	REPLY BRIEF in support of MOTION for Default Judgment against Leo Khayet and Timber Ventures, LLC 206 by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC. (Futhey, Robert) (Entered: 08/15/2018)
08/15/2018	237	TEXT ORDER granting 234 Motion to Strike ; granting 234 Motion to Restrict pursuant to the E-Government Act. Ordered by Magistrate Judge Cheryl R. Zwart. (JLK) (Entered: 08/15/2018)
08/17/2018	238	MOTION Receive Electronic Filing Privileges on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 08/17/2018)
08/17/2018	239	BRIEF in support of MOTION Receive Electronic Filing Privileges 238 on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Exhibit 2)(Khayet, Leo) (Entered: 08/17/2018)
08/17/2018	240	NOTICE of regarding MOTION Receive Electronic Filing Privileges 238 on behalf of Defaulted Defendant Leo Khayet (Khayet, Leo) (Entered: 08/17/2018)
08/21/2018	241	TEXT ORDER - A hearing on the Motion for Default Judgment and request for damages, ECF No. 206 , Motion for Sanctions and Entry of Judgment, ECF No. 227 , and Motion for Attorney Fees, ECF No. 229 , filed by Plaintiffs Nebraska Data Centers, LLC, and American Nebraska Limited Partnership, is set for Monday, August 27, 2018, at 3:00 p.m. Mr. Khayet is ordered to appear and show cause why Case No. 8:18cv330 should not be dismissed, with prejudice, for failure to comply with the Court's order that he post a cash bond to deter him from further violating Court orders, ECF No. 226 , Page ID 1600. Ordered by Chief Judge Laurie Smith Camp. (Copy mailed to pro se party) (KLF) (Entered: 08/21/2018)
08/23/2018	242	NOTICE of regarding Brief 239 on behalf of Defaulted Defendant Leo Khayet (Attachments: # 1 Exhibit 1)(Khayet, Leo) (Entered: 08/23/2018)
08/24/2018	243	MOTION to Stay on behalf of Defaulted Defendant Leo Khayet.(Khayet, Leo) (Entered: 08/24/2018)
08/24/2018	244	BRIEF in support of MOTION to Stay 243 on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Khayet, Leo) (Entered: 08/24/2018)
08/24/2018	245	TEXT ORDER - The Motion to Stay, ECF No. 243 , filed by Defendant Leo Kahayet, is denied. Ordered by Chief Judge Laurie Smith Camp. (Copy mailed to Timber Ventures, LLC and Neil P. Hassler) (KLF) (Entered: 08/24/2018)
08/26/2018	246	BRIEF <i>for August 27, 2018 Hearing</i> by Attorney Robert W. Futhey on behalf of Plaintiffs American Nebraska Limited Partnership, Nebraska Data Centers, LLC. (Futhey, Robert) (Entered: 08/26/2018)
08/27/2018	247	MOTION EMERGENCY STAY on behalf of Defaulted Defendant Leo Khayet. (Khayet, Leo) (Entered: 08/27/2018)

08/27/2018	248	BRIEF in support of MOTION EMERGENCY STAY 247 on behalf of Defaulted Defendant Leo Khayet. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Khayet, Leo) (Entered: 08/27/2018)
08/27/2018	249	TEXT MINUTE ENTRY for proceedings held before Chief Judge Smith Camp regarding Motion for Default Judgment and request for damages 206 , Motion for Sanctions and Entry of Judgment 227 , and Motion for Attorney Fees 229 , filed by Plaintiffs Nebraska Data Centers, LLC, and American Nebraska Limited Partnership. Motion Hearing held on 08/27/2018. Evidence by the Plaintiff. Matter taken under advisement. Order to be issued. Courtroom Deputy: Laura Coyle; Court Reporter: Brenda L. Fauber; Appearance for Plaintiffs: Neil P. Hassler and Robert W. Futhey; Time Start: 3:03 p.m.; Time Stop: 3:39 p.m.;Time in Courts: 36 minutes. (LAC) (Entered: 08/27/2018)
08/27/2018	250	EXHIBIT LIST from Motion hearing held on August 27, 2018. (LAC) (Entered: 08/27/2018)
08/27/2018	251	WITNESS LIST from Motion hearing held on 8/27/2018. (LAC) (Entered: 08/27/2018)
08/29/2018	252	NOTICE of regarding MOTION EMERGENCY STAY 247 on behalf of Defaulted Defendant Leo Khayet (Khayet, Leo) (Entered: 08/29/2018)

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