

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 5, 2023

Page:

1

A-22-000766

In re Estate of Lahr

Motion Appellant Continue Oral Argument

Motion of Appellant to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Court of Appeals, to occur on December 12 and 13, 2023.

A-22-000782

In re Estate of Chess

Mtn Appe for Attorney Fees Seckman Jilek

Appellee's motion for attorney fees is sustained in part. Appellant is ordered to pay \$15,000 toward Appellee's attorney fees incurred on appeal. Appellee's attorney fees may be paid from Appellant's share of the estate or from non-estate assets if necessary.

A-23-000303

Leaf Supreme Products, LLC v. Bachman

ROD Petition Appellant for Further Review

Petition for further review denied as untimely.

A-23-000303

Leaf Supreme Products, LLC v. Bachman

Motion Appt to File PFR Out of Time

Motion of Appellant to file petition for further review out of time overruled.

A-23-000438

MIMG LXXIV Colonial, LLC v. Ellis

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to November 13, 2023. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

A-23-000455

Schicker v. Cady

Appellant's Replacement Brief Due

Appellant's brief filed October 5, 2023, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3)(4) regarding the spacing, margins and underscored type and 2-103(C)(2) regarding page numbering. Appellant's replacement brief due on or before October 19, 2023.

A-23-000549

Janda v. Janda

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to November 6, 2023. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

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Minutes: October 5, 2023

Page:

2

A-23-000695

Ayotte v. Ayotte

ROD Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). Denial of
petition for ex parte custody order is not a final, appealable order
since even if granted, ex parte orders are temporary in nature. See In
re Interest of Borius H. et al., 251 Neb. 397, 558 N.W.2d 31 (1997).

A-23-000695

Ayotte v. Ayotte

Motion Appt Submit W/Out Oral Argument
Appellant's motion to submit case for decision and waiver of oral
argument overruled as moot.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-23-000457

Tunink v. Continental Fire Sprinkler Co.
Conditional Order & OSC. See order.

Minutes: October 5, 2023

A-22-000766

In re Estate of Lahr

09/20/2023 Motion Appellant Continue Oral Argument

Motion of Appellant to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Court of Appeals, to occur on December 12 and 13, 2023.

EMAIL Andrew John McElmeel

* PAPER Nebraska Medicine

EMAIL Kelly Melissa Henry-Turner

EMAIL Alton Elie Mitchell

EMAIL Mark John Malousek

A-22-000782

In re Estate of Chess

09/08/2023 Mtn Appe for Attorney Fees Seckman Jilek

Appellee's motion for attorney fees is sustained in part. Appellant is ordered to pay \$15,000 toward Appellee's attorney fees incurred on appeal. Appellee's attorney fees may be paid from Appellant's share of the estate or from non-estate assets if necessary.

EMAIL Julie Marie Ryan

EMAIL Nicole Kay Seckman Jilek

EMAIL Steffi A Swanson

EMAIL Thomas E Whitmore

EMAIL Andrew Patrick Deaver

A-23-000303

Leaf Supreme Products, LLC v. Bachman

10/02/2023 Petition Appellant for Further Review

Petition for further review denied as untimely.

EMAIL Raymond R Aranza

EMAIL James Bachman

EMAIL James E Bachman

A-23-000303

Leaf Supreme Products, LLC v. Bachman

10/02/2023 Motion Appt to File PFR Out of Time

Motion of Appellant to file petition for further review out of time overruled.

EMAIL Raymond R Aranza

EMAIL James Bachman

EMAIL James E Bachman

A-23-000438

MIMG LXXIV Colonial, LLC v. Ellis

10/04/2023 Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to November 13, 2023. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

EMAIL Shilee Therkelsen Mullin

EMAIL Joshua C Dickinson

EMAIL Tara Elizabeth Holterhaus

Minutes: October 5, 2023
EMAIL Caitlin Claire Cedfeldt

A-23-000455

Schicker v. Cady

10/05/2023 Appellant's Replacement Brief Due
Appellant's brief filed October 5, 2023, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3)(4) regarding the spacing, margins and underscored type and 2-103(C)(2) regarding page numbering. Appellant's replacement brief due on or before October 19, 2023.

EMAIL Richard J Schicker
EMAIL Sarah L Centineo
EMAIL Russell J Kreikemeier

A-23-000549

Janda v. Janda

10/05/2023 Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief date extended to November 6, 2023. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

EMAIL Sean M Reagan
EMAIL Eddy M Rodell
EMAIL Steffanie Janelle Garner Kotik

A-23-000695

Ayotte v. Ayotte

09/13/2023 Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). Denial of petition for ex parte custody order is not a final, appealable order since even if granted, ex parte orders are temporary in nature. See In re Interest of Borius H. et al., 251 Neb. 397, 558 N.W.2d 31 (1997).

EMAIL Brenton Ayotte
* PAPER Amanda Ayotte

A-23-000695

Ayotte v. Ayotte

09/18/2023 Motion Appt Submit W/Out Oral Argument
Appellant's motion to submit case for decision and waiver of oral argument overruled as moot.

EMAIL Brenton Ayotte
* PAPER Amanda Ayotte

Minutes: October 5, 2023

THESE OSC AND/OR AOPINION WILL ONLY GENERATE A COPY OF THE MANACTS PDF.

A-23-000457

Tunink v. Continental Fire Sprinkler Co.

10/05/2023 Conditional Order & OSC. See order.

EMAIL Y Jennifer Caswell

EMAIL Y Laura L Pattermann

EMAIL Y T J Pattermann