

LAWSUIT

2-CLAIMS

A- PREJUDGEMENT

B-VIOLATION OF BLIGHTING TO ACCESS TIF FUNDING

A-PREJUDGEMENT

DUE PROCESS UNDER THE FEDERAL CIVIL RIGHTS LAW

Redress may be had for this deprivation of Plaintiffs' federal and state rights to due process of law, pursuant to 42 U.S.C. § 1983, NEB. REV. STAT. § 20-148 and NEB. REV. STAT. §§ 25-21,149 et seq. Plaintiffs are therefore entitled to recover damages in an amount to be ascertained at trial, and Plaintiffs are further entitled to recover all costs and attorney's fees they reasonably incur in prosecuting this action, pursuant to 42 U.S.C. § 1988.

B-BLIGHTING

STATE LAW

Under the Nebraska Community Redevelopment Law, NEB. REV. STAT. §§ 18-2101 et seq., the overriding purpose is to eliminate blighted and substandard urban areas through a cooperative effort of the public and private sectors; not to aid private developers.

Under NEB. REV. STAT. § 18 2103(10)-(1) the terms "substandard" and "blighted" are defined as follows:

Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

MOTION

SEPARATE LEGAL FILINGS

MOTION FOR TEMPORARY INJUNCTION

ASKING JUDGE TO STOP THE CITY FROM TAKING ANY FURTHER ACTION ON THE BLIGHTING AND TIF-IN EFFECT STOPS THE PROJECT FROM MOVING FORWARD

HEARING HELD ON AUG 4TH

-JUDGE HALL HAS SET DATE OF AUG 18TH FOR SUPPLEMENTARY BRIEFS BY BOTH SIDES TO SUPPORT THEIR ARGUMENTS FOR AND AGAINST. JUDGE HALL WILL THEN LOOK OVER THE EVIDENCE AND BRIEFS AND COME OUT WITH A RULING WHEN HE HAS TIME-DEPENDING ON HIS CASELOAD. THE JUDGE KNOWS THIS IS TIMELY SO WILL HOPEFULLY NOT TAKE TOO LONG.

NOI

NOTICES OF INTENTION TO SERVE RULE 34A RECORDS SUBPOENAS

ON:

THE CITY OF FREMONT, NEBRASKA, a Political Subdivision of the State of Nebraska, and **COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF FREMONT, NEBRASKA**,

The subpoena will request the following documents be produced or made available for inspection:

- Minutes of all Board meetings, formal and informal, held in 2015 and 2016;
- c. All documents and electronic data referring to Project Rawhide;
- d. All documents and electronic data referring to Costco;
- e. All documents and electronic data referring to Lincoln Premium Poultry;
- (MANY OTHERS INCLUDED)

Notice of Intention to Serve Rule 34Records Subpoena (JEO).
(SAME AS ABOVE)