

2011

STATE OF KANSAS

STANTON A. HAZLETT
Disciplinary Administrator

ALEXANDER M. WALCZAK
KIMBERLY L. KNOLL
KATE F. BAIRD
Deputy Disciplinary Administrators

GAYLE B. LARKIN
Admissions Attorney

OFFICE OF
THE DISCIPLINARY ADMINISTRATOR

701 Jackson St.
1st Floor
Topeka, Kansas 66603-3729
Telephone: (785) 296-2486
Fax: (785) 296-6049

January 27, 2011

Scott L. Osterman
415 Bruce Court
Abilene, Kansas 67410

Dear Mr. Osterman:

This is in reply to your correspondence of January 12, 2011, concerning "billing disputes" and problems with Kansas Gas Service, and the City of Abilene.

As I explained in my letter of December 18, 2008, the jurisdiction of this office is limited to allegations of professional misconduct by attorneys licensed to practice law in the State of Kansas for alleged violations of the Kansas Rules of Professional Conduct. Therefore, claims or issues with non-lawyers or entities we have no jurisdiction. Likewise, we are without any authority to resolve legal fee disputes between clients and their attorneys. If you wish to pursue a legal fee dispute then you should contact the Legal Fee Dispute Committee of the Kansas Bar Association at (785) 234-5696 for their assistance.

I am sorry, but I cannot be of any further assistance to you in this matter.

Sincerely,

Alexander Walczak

Alexander M. Walczak
Deputy Disciplinary Administrator

AMW:JH

NORTON • WASSERMAN • JONES • KELLY LLC

FRANK C. NORTON *
KENNETH W. WASSERMAN **
ROBERT S. JONES***
NORMAN R. KELLY
ROBERT A. MARTIN
JASON L. REED
BRENDAN J. BURKE
THOMAS M. NIDAY

Attorneys at Law

*Of Counsel

**Admitted in Kansas and Nebraska

***Fellow American Academy of Matrimonial Lawyers

MAILING ADDRESS:
P.O. Box 2388
Salina, KS 67402-2388

LAW OFFICES AT:
213 S. Santa Fe
Salina, KS 67401

Telephone 785-827-3646
Fax 785-827-0538
E-Mail: ram@nwjklaw.com

March 7, 2011

Scott Ostermann
415 Brice Court
Abilene, Kansas 67410

RE: City of Abilene Matter

Dear Scott:

I am in receipt of your letter that you sent to the Disciplinary Administrator's office within the past couple of months and then another letter that you sent to us more recently. In that recent letter, you indicated that you are interested in suing the City of Abilene for the past problems of various different natures. I have reviewed this matter with my partner, Ken Wasserman. In reviewing the history of it, as well as the current situation, our firm is not interested in representing you in a case of this type. The amount of time and expense that you would incur versus your chance of recovery are not something that we are interested in being involved with.

Hence, I would recommend that you contact other counsel regarding representation involving a claim against the City of Abilene or otherwise as set forth in your recent letter.

Very truly yours,

Robert A. Martin

RAM/slb

NORTON • WASSERMAN • JONES • KELLY LLC

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E-Mail: ram@nwjklaw.com

March 11, 2011

Larry L. Livengood
277 N. Santa Fe, Suite 302D
Salina, Kansas 67401

Mike Montoya
Michael A. Montoya, P.A.
256 S. Santa Fe
P.O. Box 1220
Salina, Kansas 67401

Kennedy Berkley, Yarnevich & Williamson, Chtd.
119 West Iron Avenue, 7th Floor
P.O. Box 2567
Salina, Kansas 67402-2567

Wm. Rex Lorson
Law Office of Wm. Rex Lorson
114 E. Iron Avenue
Salina, Kansas 67401

Russ Prophet
Hampton & Royce, L.C.
119 West Iron, 9th Floor
P.O. Box 1247
Salina, Kansas 67402-1247

Mark Guilfoyle
306 N.W. 2nd Street
P.O. Box 548
Abilene, Kansas 67410-0548

RE: Scott Ostermann.

Dear Gentlemen:

Please be advised that neither my firm nor I represent Mr. Ostermann in any current or pending matters. It is further my understanding that any past litigation is complete, and hence, we are not representing him in those matters either.

Very truly yours,

Robert A. Martin

RAM/slb

cc: Scott Ostermann

NORTON • WASSERMAN • JONES • KELLY LLC

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KENNETH W. WASSERMAN **
ROBERT S. JONES***
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Fax 785-827-0538

E-Mail: ram@nwjklaw.com

March 29, 2011

Scott Ostermann
415 Brice Court
Abilene, Kansas 67410

RE: Scott and Christine Ostermann v. Lisa M. Weaver;
District Court of Dickinson County, Kansas, Case No. 07 CV 131.

Dear Scott:

Enclosed please find two pleadings that I received from the United States Bankruptcy Court for Ms. Weaver's bankruptcy matter. These copies are for your information, records, and consideration. You may want to discuss these with an attorney who practices bankruptcy work.

Very truly yours,

Robert A. Martin

RAM/slb
Enclosure(s)

United States Bankruptcy Court
District of Kansas

In re:
Lisa Marie Weaver
Debtor

Case No. 09-13012-DLS
Chapter 7

CERTIFICATE OF NOTICE

District/off: 1083-6 User: mel Page 1 of 2 Date Rcvd: Mar 22, 2011
Form ID: ksorev Total Noticed: 40

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2011.

db +Lisa Marie Weaver, 308 NE 9th, Abilene, KS 67410-2224
6223733 +Abilene Municipal Court, Mark A Guilfoyle, PO Box 548, Abilene KS 67410-0548
6223735 +Afforable Transportation Co, PO Box 428, Abilene KS 67410-0428
6223737 +Alltel, 1 Allied Drive, Building 5 Floor 3, Little Rock AR 72202-2099
6223739 +Central States Recovery, PO Box 3130, Hutchinson KS 67504-3130
6223740 +Citifinancial Inc, Bankruptcy Department, PO Box 140489, Irving TX 75014-0489
6223741 +City Of Abilene, 419 N Broadway, Abilene KS 67410-2618
6223742 +Coastal Mart Inc, Newman Reynolds And Riffel PA, PO Box 47068, Wichita KS 67201-7068
6223743 +Collection Company Of America, PO Box 329, Norwell MA 02061-0329
6223744 +Eagle Communicatoins, PO Box 817, Hays KS 67601-0817
6223746 +Farmers Insurance Group, 2 Wells Ave Dept 9134, Newton MA 02459-3208
6223747 +First Bank Kansas, PO Box 1337, Salina KS 67402-1337
6223748 +GALT Ventures Dba Speedy Cash, 1220 W Crawford, Salina KS 67401-4602
6223751 +Geary Commmity Hospital, Joshua K Shea, PO Box 4069, Wichita KS 67204-0069
6223752 +Goggins And Lavintman PA, PO Box 21129, Eagan MN 55121-0129
6223753 +Kennedy Berkley Yarnevich And Williamson, PO Box 2567, Salina KS 67402-2567
6223754 +Lennox Air Conditioning Heating, 318 NE 14th St, Abilene KS 67410-1928
6223756 +Mowery Clinic, PO Box 260, Salina KS 67402-0260
6223757 +Progressive Insurance Co, NCO Financial Systems Inc, PO Box 15636, Wilmington DE 19850-5636
6223758 +R&R Professional Recovery Inc, PO Box 21575, Pikesville MD 21282-1575
6223759 +Radiology And Nuclear Medical Imaging, PO Box 1887, Topeka KS 66601-1887
6223760 +Rods No 2, Surecheck Brokerage, PO Box 1906, Salina KS 67402-1906
6223761 +Salina Regional Health Center, PO Box 1333, Salina KS 67402-1333
6223762 +Scott Ostermann, Norton Wasserman Jones Kelly LLC, PO Box 2388, Salina KS 67402-2388
6223763 +Superior Sanitation Service Inc, 805 NE 6th, Abilene KS 67410-2112
6223764 +Target National Bank, PO Box 1581, Minneapolis MN 55440-1581
6223765 Tasha Weaver, Salina KS 67401
6223766 +Trac A Chec, PO Box 2764, Davenport IA 52809-2764
6223768 +US Bioservices, 13105 Collectoins Center Dr, Chicago IL 60693-0131
6223767 +United Radiology Group Chtf, PO Box 2327, Salina KS 67402-2327
6223770 +Weber Palmer Macy, PO Box 2027, Salina KS 67402-2027

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

6223736 +E-mail/PDF: recoverybankruptcy@afninet.com Mar 23 2011 00:39:30 AFNI Inc, PO Box 3427, Bloomington IL 61702-3427
6223734 +Fax: 864-336-7400 Mar 23 2011 03:39:23 Advance America, 433 E Chestnut St, Junction City KS 66441-9463
6223745 +E-mail/Text: jstauffe_BK@ebay.com Mar 23 2011 00:19:58 EBay Inc, IC Systems Inc, PO Box 2179, Carol Stream IL 60132-0001
6223749 +E-mail/PDF: gecsedi@recoverycorp.com Mar 23 2011 00:40:56 GE Money Bank, Bankruptcy Department Dillards, PO Box 103104, Roswell GA 30076-9104
6223750 +E-mail/PDF: gecsedi@recoverycorp.com Mar 23 2011 00:40:56 GE Money Bank, Bankruptcy Department Old Navy, PO Box 103104, Roswell GA 30076-9104
6223755 +E-mail/PDF: BankruptcyFmciMassMa@afni.com Mar 23 2011 00:39:31 MCI Bankruptcy Administration, PO Box 3243, Bloomington IL 61702-3243
6234839 E-mail/PDF: rmscedi@recoverycorp.com Mar 23 2011 00:40:56 Recovery Management Systems Corporation, 25 SE 2nd Ave Ste 1120, Miami FL 33131-1605
6223769 +Fax: 866-419-3894 Mar 23 2011 00:59:23 US Cellular, PO Box 650684, Dallas TX 75265-0684
6223771 +E-mail/Text: bkcompliance@westarenergy.com Mar 23 2011 00:19:49 Westar Energy, Attn Bankruptcy Team, PO Box 208, Wichita KS 67201-0208

TOTAL: 9

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
6223738 ##+AT&T, PO Box 930170, Dallas TX 75393-0170

TOTALS: 0, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

57

William W. Jeter, Chair

Kansas Bar Association
Fee Dispute Resolution Committee

PLEASE RESPOND TO: WILLIAM W. JETER
C/O KANSAS BAR ASSOCIATION
1200 S.W. Harrison
Topeka, KS 66612
Phone: 785/234-5696
Fax: 785/234-3813

Scott Ostermann
415 Brice Court
Abilene, Kansas 67410

May 17, 2011

Re: Fee Dispute

Dear Mr. Ostermann:

You have requested the assistance of the Kansas Bar Association Fee Dispute Committee in resolving a dispute between yourself and an attorney practicing in Kansas. The Committee has established a mediation/arbitration process to assist clients and their attorneys in resolving fee disputes. If you wish to participate in the process you must complete the enclosed Fee Dispute Complaint form and Agreement to Submit Fee Dispute to Mediation. If you elect to participate in this process, a copy of the complaint and the Agreement will be forwarded to the attorney. If the attorney also agrees to participate in the process, he or she will return to me the signed Agreement along with a response to the complaint, and a mediator will be selected to commence the mediation process.

Once both parties have agreed to the process, the mediator will contact both of you and attempt to resolve the dispute through mediation. If mediation is not successful, and both parties agree, the Committee will appoint a three-person arbitration panel to hear presentations by each side and make an award based on the evidence presented. This award will be binding on both sides. If both parties agree they may waive the mediation step and proceed directly to arbitration.

If you have questions about the process, please contact Danielle M. Hall at (785) 234-5696.

Sincerely,

William W. Jeter

William W. Jeter
Committee Chairperson
WWJ/lm

Encls.

May 19, 2011

EACH GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MORTGAGE, AND EACH GRANTOR AGREES TO ITS TERMS.

GRANTOR:

R & M BUILDING, L.L.C.

By _____
RANDY G SCHROEDER

By _____
AMANDA K DOHE

X _____
RANDY G SCHROEDER, Individually

X _____
AMANDA K DOHE, Individually

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Kansas)
) SS
COUNTY OF Lincoln)

On this 19th day of May, 20 11 before me, the undersigned officer, personally appeared RANDY G SCHROEDER, [illegible] of R & M BUILDING, L.L.C. and AMANDA K DOHE, [illegible] of R & M BUILDING, L.L.C., and acknowledged that they are members or designated agents of R & M BUILDING, L.L.C. a limited liability company, and that they, as such members or designated agents, being authorized so to do, executed the foregoing Mortgage for the purposes therein contained, by signing the name of the limited liability company by themselves as such members or designated agents.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

By _____ Residing at [illegible]

Notary Public in and for the State of KS AMY L HITTER Notary Public State of Kansas My Appt. Expires 3-5-2013 My appointment expires [illegible]

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas)
) SS
COUNTY OF Lincoln)

On this 19th day of May, 20 11 before me, the undersigned officer, personally appeared RANDY G SCHROEDER and AMANDA K DOHE, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Mortgage and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

By _____ Residing at [illegible]

Notary Public in and for the State of KS AMY L HITTER Notary Public State of Kansas My Appt. Expires 3-5-2013 My appointment expires [illegible]

LASER PRO Lending Ver. 5.56.00.005 Copr. Harland Financial Solutions, Inc. 1997, 2011 All Rights Reserved - KS C:\CFILPL\G03.FC TR-34265 PR-CRF

Lincoln Co. Dist Court 17-CV-12

B6D (Official Form 6D) (12/07)

In re **Amanda Kay Dohe**

Case No. _____ (if known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #: **xxx xxxx4180** **Bank of Tescott** **P O Box 249** **Lincoln, Kansas 67455**		-	DATE INCURRED: **08-05-08** NATURE OF LIEN: **Fee Simple** COLLATERAL: **home** REMARKS: VALUE **$60,000.00**				**$46,725.00**	
Representing: **Bank of Tescott**		-	**Lance Cochran** **Kennedy Berkley Yarnevich and Williamson** **119 W. Iron Ave., 7th Floor** **P O Box 2567** **Salina, Kansas 67402-2567**				**Notice Only**	**Notice Only**
ACCT #: **xxxxx0-168** **Bennington State Bank** **102 N. Main** **Sylvan Grove, Kansas 67481**	X	J	DATE INCURRED: NATURE OF LIEN: **lien** COLLATERAL: **M & G Design, LLC - personal guarantor** REMARKS: VALUE: **$0.00**				**$108,352.64**	**$108,352.64**
Representing: **Bennington State Bank**			**Lance Cochran** **Kennedy Berkley Yarnevich and Williamson** **119 W. Iron Ave., 7th Floor** **P O Box 2567** **Salina, Kansas 67402-2567**				**Notice Only**	**Notice Only**
			Subtotal (Total of this Page) >				**$155,077.64**	**$108,352.64**
			Total (Use only on last page) >				**$155,077.64**	**$108,352.64**

No continuation sheets attached

(Report also on Summary of Schedules.)

(If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

IN THE DISTRICT COURT OF LINCOLN COUNTY, KANSAS

Bedrock International, LLC)
)
Plaintiff,)
) Case No. 2011CV19
vs.) Court No.
) Chapter 60
M & G DESIGNS INC)
SERVE KANSAS SECRETARY OF STATE)
120 SW 10TH AVE)
TOPEKA, KS 66612)
)
AMANDA DOHE)
a/k/a MANDY DOHE)
1128 E FOX DR)
LINCOLN, KS 67455)
)
Defendant(s).)

July 2011

PETITION

COUNT I

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), M & G DESIGNS INC states:

1. Plaintiff and Defendant(s) entered into a written contract.

2. Plaintiff fully performed as agreed.

3. Defendant(s) breached said contract by failing to pay to Plaintiff the full agreed sum and now owe(owes) Plaintiff the amount of $42,230.56 plus interest at the rate of 18% per annum from and after August 21, 2010.

4. Defendant(s) owes Plaintiff an additional sum for reasonable and agreed attorney fees as provided by the terms of said contract.

5. Demand has been made upon Defendant(s), but the balance remains due and unpaid.

WHEREFORE, Plaintiff prays judgment against Defendant(s) M & G DESIGNS, INC. for the sum of $42,230.56 with interest thereon at the rate of 18% per annum from and after August 21, 2010, together with reasonable attorney's fees, plus interest on any judgment rendered by this court at the rate of 18% per annum, and costs.

SHERIFF'S DEED IN TAX FORECLOSURE ACTION

I **Gareth Hoffman** Sheriff of Dickinson County Kansas acting pursuant to the laws of Kansas and the judgment as entered by the District Court of Dickinson County, Kansas in Case **Number 11 CV 19** entitled **"The Board of County Commissioners of Dickinson County, Kansas vs Merle T Butcher, Jr , as Trustee or any Successor Trustee of the Butcher Family Irrevocable Trust Dated, January 11, 1988, et al "**, and pursuant to the Execution as issued to me by the Clerk of the District Court of Dickinson County Kansas in said action, and following publication notice as required by law, did offer for sale at public auction on June 29 2011 at the Dickinson County Courthouse, the following described real estate located in Dickinson County Kansas to wit

(1) Lot Twenty-three (23) and the East One-half (½) and North One half (½) of the West One half (½) of Lot Twenty five (25) on First Street, Thomson and McCoy s Addition to the City of Abilene, Kansas

And at said auction I did sell the above described property to

Name Don Ackerman Leo W Blasi and Michael Teasley as Tenants in Common

For the sum of $10 400 00, same being the highest bid received for said property at the auction sale and said amount plus the recording fee was paid to me by the purchaser(s)

Following the sale, I made my "Return" to the Clerk of the District Court and said return was examined by the Court and found to be regular and the sales and proceedings were confirmed by the Court on July 15 2011 and the Court authorized me as Sheriff of Dickinson County, Kansas to execute and file the record with the Register of Deeds of Dickinson County, Kansas a deed to each piece of the property so sold and so purchased

NOW THEREFORE, I, Gareth Hoffman Sheriff of Dickinson County Kansas by this instrument, do hereby convey and transfer unto the purchaser(s) above named a fee simple title in and to the above described property as against all persons including but not limited to corporations and municipal corporations parties to the above proceedings, subject only to valid covenants running with the land and valid easements of record in use and subject to taxes and special assessments for 2009 and subsequent years As provided by statute this deed shall be prima facie evidence of the regularity of all proceedings prior to the date of the filing of this instrument for record This deed is subject to the provisions of law, K S A 79-2804(g), relating to sale of the property within ten (10) years to a party who had the right to redeem

Signed by Gareth Hoffman Sheriff of Dickinson County Kansas and acknowledged before Cindy MacDonald, Clerk of the District Court of Dickinson County Kansas, on the day as shown on the instrument

GARETH HOFFMAN, Sheriff of Dickinson County, Kansas

ACKNOWLEDGMENT

State of KANSAS County of DICKINSON ss

BE IT REMEMBERED that on this 18th day of July, 2011, the foregoing instrument was acknowledged before me by Gareth Hoffman Sheriff of Dickinson County Kansas

DISTRICT COURT DICKINSON COUNTY KANSAS SEAL

Cindy MacDonald, Clerk of the District Court of Dickinson County, Kansas

Pursuant to KSA 79 1437e a Kansas Real Estate Validation Questionnaire is not required due to Exception 10

IN THE DISTRICT COURT OF LINCOLN COUNTY, KANSAS

FILED
LINCOLN COUNTY, KS.

2011 SEP 26 A 11: 33

CLERK OF DIST. COURT

BEDROCK INTERNATIONAL, LLC	)	
	)	
Plaintiff,	)	
	)	**Case No. 11CV19**
vs.	)	**Chapter 61**
	)	
M & G DESIGNS, INC.	)	
	)	
AMANDA DOHE a/k/a MANDY DOHE	)	
	)	
Defendant(s).	)	

MOTION FOR DEFAULT JUDGMENT

COMES NOW Plaintiff, by and through its undersigned attorney, and for its Motion For Default Judgment states to the Court as follows:

1. On July 29, 2011, the Defendant M & G Designs, Inc. was served with the Summons and Petition. See "Exhibit A", Return of Services for M & G Designs, Inc.

2. On July 20, 2011, the Defendant Amanda Dohe a/k/a Mandy Dohe. was served with the Summons and Petition. See "Exhibit A", Return of Services for Amanda Dohe a/k/a Mandy Dohe.

3. The Defendants have failed to file an Answer in this matter despite being properly served with the Summons and Petition. Thus, Plaintiff is entitled to a judgment against the Defendants for the amount sought in its Petition.

WHEREFORE Plaintiff, respectfully prays this Court for an Order granting Plaintiff's Motion for Default Judgment, and for such other and further relief as the Court deems just and proper.

COUNT II

COMES NOW Plaintiff and for its cause of action on Count II of Plaintiff's Petition against the Defendant(s), AMANDA DOHE a/k/a MANDY DOHE , as guarantor(s), state(s) as follows:

1. Plaintiff incorporates by reference paragraphs 1 through 3 of Count I as though fully set forth herein.

2. Defendant(s) did, for valuable consideration, execute and deliver to Plaintiff a guaranty of payment on demand of any sums due to Plaintiff by the Defendant(s), M & G DESIGNS INC upon the failure of said M & G DESIGNS INC to pay such sums.

3. The guaranty provides that in the event said guaranty is placed in the hands of an attorney for collection, defendant(s) agrees to pay reasonable attorney's fees.

4. Demand has been made upon the Defendant(s) for payment, but said balance remains due and unpaid.

WHEREFORE, Plaintiff prays judgment against the Defendant(s), AMANDA DOHE a/k/a MANDY DOHE for the sum of $42,230.56, with interest thereon at the highest legal rate from and after August 21, 2010, for reasonable and agreed attorney fees, and costs.

BERMAN & RABIN, P.A.

Adam K. Berman, #21832
15280 Metcalf
Overland Park, KS 66223
Ph: (913) 649-1555
Fax: (913) 649-2335
ATTORNEY FOR PLAINTIFF

PK4
1156673-13

IN THE DISTRICT COURT OF LINCOLN COUNTY, KANSAS

Bedrock International, LLC)
)
Plaintiff,) Case No. 11CV19
) Court No. PS 7/20
vs.) Chapter 61
)
M & G DESIGNS INC)
AMANDA DOHE)
Defendant(s).)

FILED
LINCOLN COUNTY, KS.
2011 SEP 30 P 1:33
CLERK OF DIST. COURT

JOURNAL ENTRY OF JUDGMENT

Now on , Plaintiff appears by Counsel, and Defendant(s), appear(s) not. Whereupon this matter comes on for hearing, and the Court after having heard the evidence finds the issues in favor of the Plaintiff and against the Defendant(s). The Court finds that there is due to the Plaintiff from the Defendant(s), the following amount:

Principal	$42,230.56
Interest	$7,705.63
Attorney Fees	$7,315.49
Total	$57,251.68

and costs. It is therefore;

ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover of and from the Defendant(s), the sum of $42,230.56, plus $7,705.63 pre-judgment interest, plus interest at 18% per annum from and after the date of judgment on the principal amount only, plus reasonable and agreed attorneys fees in the amount of $7,315.49 and court costs.

JUDGE OF THE DISTRICT COURT

SUBMITTED BY:
BERMAN & RABIN, P.A.

Adam K. Berman #21832
15280 Metcalf
Overland Park, KS 66223
(913) 649-1555
ATTORNEY FOR PLAINTIFF
1156673-13

File Stamp Date
Case Number 11CV19

Division #PS 7/20

Prepared by:
Daniel E. Kuhn #20429
Adam K. Berman #21832
Berman & Rabin, P.A.
15280 Metcalf Avenue
Overland Park, KS 66223
Tel: (913) 649-1555
Fax: (913) 649-2335
Attorney for Judgment Creditor

2011 NOV 14 P 1:04

CLERK OF DIST. COURT

IN THE DISTRICT COURT OF LINCOLN COUNTY, KANSAS

Bedrock International, LLC — Judgment Creditor

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: Personal or Registered Service by Sheriff of LINCOLN County, Kansas

REQUEST FOR GARNISHMENT
(To Attach Other Than Earnings)

The judgment creditor requests that the court issue an Order of Garnishment (To Attach Other Than Earnings) for the judgment debtors listed below in the amount of the judgment(s) shown below.

Case No	Judgment Debtor Name, Address and SSN/TIN	Garnishee's Name and Address	Judg Amount*	Amount to be Withheld (110%)
11CV19	M & G DESIGNS INC 117 S Main PO Box 12 Sylvan Grove, KS 67481	THUNDER BANK 102 N. MAIN ST SYLVAN GROVE, KS 67481	$42,230.56	$64,901.79

* The judgment amount is the current balance due and may also include costs, fees, interest and any other items included in the judgment.

If this Garnishment is to attach funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company, the amount to be withheld is indicated above, which is 110% of the amount of judgment creditor's claim, in the case of prejudgment garnishment, or 110% of the amount of the current balance due under the judgment, in the case of postjudgment garnishment.
I hold a good faith belief that the party to be served with this garnishment order has, or will have, assets of the judgment debtor(s).

Dated: November 9, 2011

Adam K. Berman #21832
Daniel E. Kuhn #20429

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Note: If this form is filed on paper, you must submit copies in a number equal to the number of requests for garnishment.
1156673-13

DEED BOOK: 247
PAGE: 265

STATE OF KANSAS 03109
DICKINSON COUNTY
This instrument was filed for record on 12/02/2011 at 02:27 PM & duly recorded in Book 247 at Page 265
Karen J Freeman Register of Deeds
Martha J Holt Deputy

Entered in Transfer Record in my office this 2 day of December 20 11 A.D.
Barbara M. Jones Co. Clerk
Deputy Clerk

115-16-0-30-41-008.00-0

QUIT CLAIM DEED

AMANDA DOHE, a single person, of Abilene, Dickinson County, KS,

QUIT CLAIMS TO:

MIKE TEASLEY, a single person, of 1114 NW Third St , Abilene, KS 67410;

ALL OF MY INTEREST IN AND TO:

The West Half (W/2) of the South Half (S/2) of Lot Twenty-five (25), on First Street, Thompson and McCoy's Addition to the City of Abilene, Dickinson County, Kansas;
(More commonly known as 1210 W. First St., Abilene, Kansas.)

For the sum of: One Dollar ($1.00) and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Reservations, restrictions, easements and zonings of record.

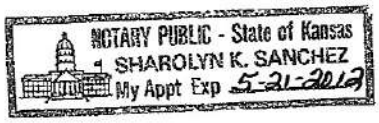
Dated December 2, 2011.

AMANDA DOHE

STATE OF KANSAS, COUNTY OF DICKINSON, ss:

BE IT REMEMBERED, That on this 2nd day of December, 2011, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came AMANDA DOHE, a single person, who is personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.



Sharolyn K. Sanchez
Notary Public
My term expires: 5-21-2012

ONLY FOR USE IN COUNTIES APPROVED TO ACCEPT ONE-PART FORMS (See website address below for approved list)

KANSAS REAL ESTATE SALES VALIDATION QUESTIONNAIRE 2011-03109

FOR COUNTY USE ONLY:										
DEED BOOK 297 PAGE 265	COR 16332	021 CO. NO.	115 MAP	16 SEC	0 SHEET	30 QTR.	41 BLOCK	008.00 PARCEL	0 OWN

RECORDING DATE	TYPE OF INSTRUMENT	SPLIT / MULTI	MO	YR	TY	AMOUNT	S	V
12/02/11	QC CR ____ RA ____ DE ____	☐ / ☐	12	11	2	6,000	1	2

SELLER (Grantor)
NAME Amanda Dohe
MAILING 408 N. Pennsylvania
CITY/ST/ZIP Sylvan Grove, KS 67481
PHONE NO. (785) 658-6284

BUYER (Grantee)
NAME Mike Teasley
MAILING 1114 NW Third St.
CITY/ST/ZIP Abilene, KS 67410
PHONE NO. (785) 280-1796

IF AGENT SIGNS FORM, BOTH BUYER AND SELLER TELEPHONE NUMBERS MUST BE ENTERED.

BRIEF LEGAL DESCRIPTION

The W/2 of the S/2 of Lot 25, on First Street, Thompson and McCoy's Addn. to the City of Abilene, KS

Property / Situs Address: 210 W. 1st St., Abilene
Name and Mailing Address for Tax Statements
(SAME AS ABOVE)

CHECK ANY FACTORS THAT APPLY TO THIS SALE (See Instructions on back of form.)

1. SPECIAL FACTORS
- ☐ Sale between immediate family members: SPECIFY THE RELATIONSHIP ____
- ☐ Sale involved corporate affiliates belonging to the same parent company
- ☐ Auction Sale
- ☐ Deed transfer in lieu of foreclosure or repossession
- ☐ Sale by judicial order (by a guardian, executor, conservator, administrator, or trustee of an estate)
- ☐ Sale involved a government agency or public utility
- ☐ Buyer (new owner) is a religious, charitable, or benevolent organization, school or educational association
- ☐ Buyer (new owner) is a financial institution, insurance company, pension fund, or mortgage corporation
- ☒ Would this sale qualify for one of the exceptions listed on the reverse side of this form? (Please indicate # 4)
- ☐ Sale of only a partial interest in the real estate
- ☐ Sale involved a trade or exchange of properties
- ☒ NONE OF THE ABOVE

2. CHECK USE OF PROPERTY AT THE TIME OF SALE:
- ☐ Single Family Residence
- ☐ Farm/Ranch With Residence
- ☐ Condominium Unit
- ☐ Vacant Land
- ☐ Other: (Specify)
- ☐ Agricultural Land
- Mineral Rights Included? ☐ Yes ☐ No
- ☐ Apartment Building
- ☒ Commercial/Industrial Bldg.

3. WAS THE PROPERTY RENTED OR LEASED AT THE TIME OF SALE? ☒ YES ☐ NO

4. DID THE SALE PRICE INCLUDE AN EXISTING BUSINESS? ☐ YES ☒ NO

5. WAS ANY PERSONAL PROPERTY (SUCH AS FURNITURE, EQUIPMENT, MACHINERY, LIVESTOCK, CROPS, BUSINESS FRANCHISE OR INVENTORY, ETC.) INCLUDED IN THE SALE PRICE? ☐ YES ☒ NO
If yes, please describe ____
Estimated value of all personal property items included in the sale price $ ____
If **Mobile Home** Year ____ Model ____

6. ARE YOU AWARE OF ANY CHANGES IN THE PROPERTY SINCE JAN. 1? ☐ YES ☒ NO
☐ Demolition ☐ New Construction ☐ Remodeling ☐ Additions
Date Completed ____

7. WERE ANY **DELINQUENT** TAXES ASSUMED BY THE PURCHASER? ☐ YES ☒ NO AMOUNT $ ____

8. METHOD OF FINANCING (check all that apply):
☐ New loan(s) from a Financial Institution
☐ Seller Financing ☐ Assumption of Existing Loan(s)
☒ All Cash ☐ Trade of Property ☐ Not Applicable

9. WAS THE PROPERTY MADE AVAILABLE TO OTHER POTENTIAL PURCHASERS? ☐ YES ☒ NO If not, explain ____
(SEE #9 INSTRUCTION ON BACK)

10. DOES THE BUYER HOLD TITLE TO ANY ADJOINING PROPERTY? ☐ YES ☒ NO

11. ARE THERE ANY FACTS WHICH WOULD CAUSE THIS SALE TO BE A NON-ARMS LENGTH / NON-MARKET VALUE TRANSACTION? **(SEE #11 INSTRUCTION ON BACK)** ☐ YES ☒ NO

12. **TOTAL SALE PRICE** $ 6,000.00
DEED DATE 12, 2, 2011

13. I CERTIFY THAT THE ADDRESS TO WHICH TAX STATEMENTS FOR THE PROPERTY ARE TO BE SENT IS CORRECT.
I ALSO CERTIFY I HAVE READ ITEM NO. 13 ON THE REVERSE SIDE AND HEREBY CERTIFY THE ACCURACY OF THE INFORMATION AND THAT I AM AWARE OF THE PENALTY PROVISIONS OF K.S.A. 79-1437g.

PRINT NAME Mike Teasley
SIGNATURE Mike Teasley
☐ GRANTOR (SELLER) ☒ GRANTEE (BUYER)
☐ AGENT DAYTIME PHONE NO. (____)

Parcel ID: 021-115-16-0-30-41-008.00-0 Quick Ref: R6389 Tax Year: 2012 Run Date: 12/16/2011 9:29:51 AM

OWNER NAME AND MAILING ADDRESS

Teasley, Mike

1114 NW 3rd ST
Abilene, KS 67410

PROPERTY SITUS ADDRESS

210 W 1ST ST
Abilene, KS 67410

LAND BASED CLASSIFICATION SYSTEM

Function:	2101	Downtown row: Sfx: 0
Activity:	2110	Goods-oriented shopping
Ownership:	1100	Private-fee simple
Site:	6000	Developed site - with building

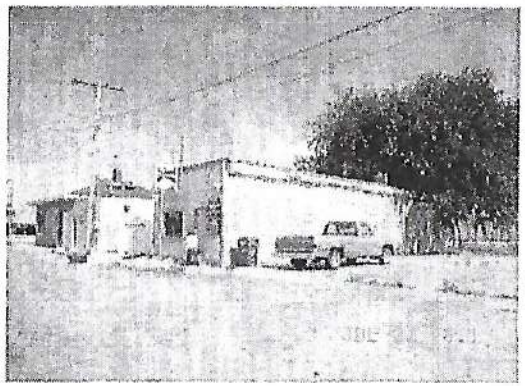


Image Date: 11/04/2011

INSPECTION HISTORY

Date	Time	Code	Reason	Appraiser	Contact	Code
07/21/2011	9:50 AM	5	Re-inspectio	cg		
07/14/2005	9:20 AM	7		PK		
07/14/2005	9:20 AM	5		CG		

SALES INFORMATION

Date	Type	Sale Amount	Src	Validity	Inst Type	COV
12/02/2011	2	6,000		9	Warranty Deed - 1	016332
07/23/2010		0			Other - 16	no sale
07/24/2008	2	16,500	1	0	Warranty Deed - 1	014433

BUILDING PERMITS

Number	Amount	Type	Issue Date	Status	% Comp

GENERAL PROPERTY INFORMATION

Prop Class: C Commercial & Industrial - C
Living Units:
Zoning:
Neighborhood: 118 118
Economic Adj. Factor: 105
Map / Routing: 115
Tax Unit Group: 001

PROPERTY FACTORS

Topography:	Level - 1
Utilities:	All Public - 1
Access:	Paved Road - 1
Fronting:	Secondary Artery - 2
Location:	Neighborhood or Spot - 6
Parking Type:	On Street - 2
Parking Quantity:	Adequate - 2
Parking Proximity:	Near - 1
Parking Covered:	
Parking Uncovered:	

RECENT APPEAL HISTORY

Tax Year	Hearing Date	Appeal Level	Case Number	Status	Final Action	Results Code	Hearing Value

2012 APPRAISED VALUE

Cls	Land	Building	Total
C	2,430	14,690	17,120
Total	2,430	14,690	17,120

2011 APPRAISED VALUE

Cls	Land	Building	Total
C	2,430	14,690	17,120
Total	2,430	14,690	17,120

TRACT DESCRIPTION

THOMPSON AND MCCOY ADDN , W2 OF THE S2 OF LOT 25 ON 1ST STREET SECTION 16 TOWNSHIP 13 RANGE 02

PARCEL COMMENTS

Prop-Com: AN-DOWN SOUTH TAVERN

MARKET LAND INFORMATION

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	OVRD	Rsn	Cls	Model	Base Size	Base Val	Inc Val	Dec Val	Value Est
Saft	1-Primary Site - 1	1,300											12	30,000.00	1.04	0.88	0.88	5,940

Total Market Land Value 5,940

GENERAL BUILDING INFORMATION

LBCS Structure Code: 2230-Standalone store or shop building
Bldg No. & Name: 1 SOUTHSIDE TAVERN
Identical Units: 1 No. of Units: 1
Unit Type:
MS Mult: MS Zip:

APARTMENT DATA

	1	2	3	4	5	6	7	8
Units:								
BR Type:								
Baths:								

IMPROVEMENT COST SUMMARY

Building RCN:			102,560
Mkt Adj:	100	Eco Adj:	105
Building Value:			26,920
Other Improvement RCN:			0
Other Improvement Value:			0

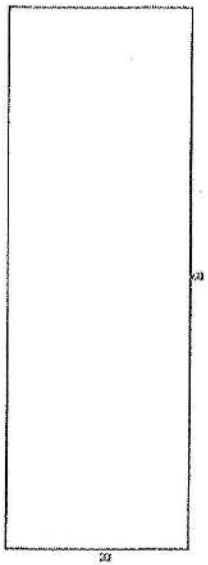
CALCULATED VALUES

Cost Land:	5,940
Cost Building:	26,920
Cost Total:	32,860
Income Value:	28,800
Market Value:	
MRA Value:	

FINAL VALUES

Value Method:	COST
Land Value:	5,940
Building Value:	26,920
Final Value:	32,860
Prior Value:	17,120

Fair



BUILDING COMMENTS

SKETCH VECTORS

A0CU60X20H

COMMERCIAL BUILDING SECTIONS & BASEMENTS

Sec	Occupancy	MSCls	Rank	Yr Blt	Eff Yr	Levels	Stories	Area	Perim	Hgt	Phys	Func	Econ	OVR %	Rsn	Inc Use	Net Area	Cls	RCN	% Gd	Value
1	442-Bar/Tavern	C	1.00	1942		01 / 01		1,200	136	14	2	2				035			102,560	25.0	26,920

COMMERCIAL BUILDING SECTION COMPONENTS

Sec	Code	Units	Pct	Size	Other	Rank	Year
1	812-Concrete Block		100				
1	617-Complete HVAC		100				

OTHER BUILDING IMPROVEMENT COMPONENTS

Amanda was talking about the property & mike asked how much

RESIDENTIAL SALES VALIDATION DOCUMENTATION RECORD

COV NUMBER: 016332
QUICK REF ID#: R6389
PARCEL ID#: 021-115-16-0-30-41-008.00-0

NBHD: 118
MRKT AREA: cent.towns

Legal Description: THOMPSON AND MCCOY ADDN , W2 OF THE S2 OF LOT 25 ON 1ST STRE

PROPERTY ADDRESS:
210 W 1ST ST
Abilene KS 67410

BUYERS NAME: Teasley, Mike

SELLERS NAME: DOHE, AMANDA

MARKETING OF SALE PROPERTY:
____ADVERTISED BY OWNER ____HELP-U-SELL ____NOT EXPOSED TO OPEN MARKET ____REALTOR/MLS ____OTHER_____
____MLS LISTING ATTACHED ORIGINAL LIST PRICE: $_____ LIST PRICE AT SALE: $_____ SELLER PARTICIPATION: $_____
TIME ON MARKET:_____DAYS/ MONTHS/ YEARS

FIELD REVIEW: DATE:___/___/___ ____NEW PICTURES TAKEN _____NO ONE HOME/SALES DOOR-HANGER LEFT

____INTERVIEW ON-SITE WITH: BUYER/ SELLER/ TENANT/ AGENT/ OTHER:_____ DATE: (___/___/____)

____PHONE INTERVIEW WITH: BUYER/ SELLER/ TENANT/ AGENT/ OTHER

NAME_____PHONE:_____
ATTEMPTS: DATE:_____TIME:_____RESULT:_____
ATTEMPTS: DATE:_____TIME:_____RESULT:_____

____PHONE INTERVIEW WITH: BUYER/ SELLER/ TENANT/ AGENT/ OTHER

NAME_____PHONE:_____
ATTEMPTS: DATE:_____TIME:_____RESULT:_____
ATTEMPTS: DATE:_____TIME:_____RESULT:_____

____REVIEWED SALE VALIDATION QUESTIONAIRE-NO FIELD REVIEW OR FOLLOW-UP (NOTES REQUIRED)

NOTES:
Not valid - Confirmed Data - See notes on PRC

FINAL SALES DETERMINATION

SALE DATE	SALE TYPE	SALE PRICE	SOURCE	VALIDITY
12/02/2011	Land & Building - 2	6,000		9

S Henderson
SIGNATURE OF APPRAISER VALIDATING SALE

DATE 5 / 1 / 12

SALES RATIO: 547.67


The failed concrete water barrier is still in place and hasn't been tampered with.
07/11/2013


10/14/2017


NO
PARKING
10/14/2017


10/14/2017


Alamo Saloon
1871
10/14/2017

NORTON • WASSERMAN • JONES • KELLY LLC

FRANK C. NORTON *
KENNETH W. WASSERMAN **
ROBERT S. JONES***
NORMAN R. KELLY
ROBERT A. MARTIN
JASON L. REED
BRENDAN J. BURKE

Attorneys at Law

*Of Counsel

**Admitted in Kansas and Nebraska

***Fellow American Academy of Matrimonial Lawyers

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Salina, KS 67402-2388

LAW OFFICES AT:
213 S. Santa Fe
Salina, KS 67401

Telephone 785-827-3646
Fax 785-827-0538

ram@nwjklaw.com

December 22, 2011

Scott Ostermann
415 Brice Court
Abilene, Kansas 67410

RE: Previous Letters.

Dear Scott:

I am in receipt of two (2) letters from you this week. If you will recall, the last time that we met in person, you indicated that you had no problem with the work that was completed by my firm. In fact, you were pleased with it. The tone of your most recent letters is not consistent with that prior discussion. I again do not think that anything inappropriate occurred with regard to work completed by my office.

In light of the contents of your letters and the tone of them, I would recommend that you have your questions answered by a separate attorney. It does not appear that we will be able to assist you further.

It is unfortunate, given our past representation of you, but it certainly appears that we are at a crossroads in representing you.

Very truly yours,

Robert A. Martin

RAM/mdk

ABILENE
KANSAS CITY OF ABILENE

Voice: 785.263.2550
Fax: 785.263.2552
www.abilenecityhall.com

419 N. Broadway, PO Box 519
Abilene, Kansas 67410

January 11, 2012

Mr. Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: Renewal of CMB License, Down South Tavern, 2011

Mr. Ostermann:

The following letter has been prepared in response to your letter dated December 30, 2011 concerning the Down South Tavern's cereal malt beverage license.

Chapter 3, Article1 of the City Code stipulates the requirements, including an administrative review, that must be annually met prior to the issuance of a cereal malt beverage permit within the City of Abilene.

Based on the administrative review conducted by several City departments, the applicant representing the Down South Tavern has met these requirements. The City Commission approved the issuance of a cereal malt beverage permit for this establishment on December 12, 2011.

I consider other matters raised in your letter to have been addressed by previous City Managers. Based on the information provided, I have no reason to take any different action concerning these issues.

Sincerely,

David B. Dillner
City Manager

CC: City Commission
Mark Guilfoyle, City Attorney

NORTON • WASSERMAN • JONES • KELLY LLC

FRANK C. NORTON *
KENNETH W. WASSERMAN **
ROBERT S. JONES***
NORMAN R. KELLY
ROBERT A. MARTIN
JASON L. REED
BRENDAN J. BURKE
THOMAS M. NIDAY

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*Of Counsel

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Salina, KS 67401

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Fax 785-827-0538

ram@nwjklaw.com

February 29, 2012

Scott Ostermann
415 Brice Court
Abilene, Kansas 67410

RE: Letter dated February 21, 2012.

Dear Scott:

I reviewed your letter with my partner, Ken Wasserman. As I set forth in my prior letter, I do not think that we are in a position to continue to assist you. Your recent letter to me does not change the position stated in my prior letter regarding representation.

Very truly yours,

Robert A. Martin

RAM/kad

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ram@nwjklaw.com

April 24, 2013

Scott Ostermann
415 Brice Court
Abilene, Kansas 67410

RE: Scott L. And Christine C. Osterman v. Lisa M. Weaver, Vickie Faulkner, Michael Teasley, Amanda Dohe, Dickinson County Case No. 12 CV 140.

Dear Scott:

I am in receipt of the extensive set of documents that you sent to my office in my absence. I also received a check from you for $750.00. However, your outstanding balance was only $747.08. Hence, I am enclosing a check in the amount of $2.92 for the overpayment.

As it involves additional work to be completed, I am not sure exactly what you wish for me to do involving the case. My review of your letter did not make that entirely clear. I did contact Russ Prophet involving the status and he stated that you had an upcoming hearing on some discovery problem.

In light of your prior letters to my firm, as well as my uncertainty regarding your current letter, we really are not looking at taking another stab by entering this case and re-entering this mess. I would highly recommend that you obtain counsel to help you through it given the positions taken by the Defendants.

I am sorry, but this appears to be the most that I can do for you at this time.

Very truly yours,

Robert A. Martin

RAM/slb

14-10751 Amanda Kay Dohe
Case type: bk **Chapter:** 7 **Asset:** No **Vol:** v **Chief Judge:** Robert E. Nugent
Date filed: 04/08/2014 **Date of last filing:** 08/07/2014
Debtor discharged: 08/05/2014
Date terminated: 08/05/2014

Attorneys

Lance H. Cochran
Kennedy Berkley Yarnevich & Williamson
119 W Iron 7th Floor
PO Box 2567
Salina, KS 67402-2567
(785) 825-4674
(785) 825-5936 (fax)
lcochran@kenberk.com
Assigned: 05/16/2014

representing

The Bank of Tescott
Kennedy Berkley Yarnevich
and Williamson Chartered
PO BOX 2567
SALINA, KS 67402-2567
(Creditor)

Carl B Davis
2121 W. Maple Street
P.O. Box 12686
Wichita, KS 67213
(316)945-8251
(316)945-2789 (fax)
cbd7trustee@davisandjack.com
Assigned: 06/30/2014

representing

Carl B Davis
2121 W. Maple Street
P.O. Box 12686
Wichita, KS 67213
(316)945-8251
cbd7trustee@davisandjack.com
(Trustee)

Robert G. German
219 N. Santa Fe
Salina, KS 67401
785-825-9175
785-823-2946 (fax)
bgerman2@cox.net
Assigned: 04/08/2014

representing

Amanda Kay Dohe
408 N Pennsylvania
Sylvan Grove, KS 67481
(Debtor)

PACER Service Center			
Transaction Receipt			
12/11/2017 03:41:59			
PACER Login:	scottoo7_wow:2820947:0	**Client Code:**	
Description:	Attorney List	**Search Criteria:**	14-10751
Billable Pages:	1	**Cost:**	0.10

ABILENE
KANSAS CITY OF ABILENE

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Fax: 785.263.2552
www.abilenecityhall.com

Dwight D. Eisenhower Municipal Building
419 N. Broadway, PO Box 519
Abilene, Kansas 67410

September 25, 2017

OFFER TO PURCHASE

TO: SCOTT L. AND CHRISTINE C. OSTERMANN

RE: TRIANGULAR PIECE OF LAND AT SOUTHWEST CORNER OF 14TH AND BUCKEYE AVE.

The city of Abilene needs to acquire the triangular piece of property you own adjoining the Southwest corner of 14th St. and Buckeye Ave., as shown on the attached Exhibit "A", for improvements to the intersection of 14th St. and Buckeye Ave. After reviewing the value placed on the property by the county, the city would offer the sum of $3,500.00 to purchase the land. I would like an answer to this offer within 7 days of this date. You may send your acceptance or rejection of this offer to the City of Abilene, Attn: City Manager at 419 N Broadway, PO Box 519, Abilene, KS 67410. If I don't receive an answer in writing within 7 days I will assume that you have rejected the offer.

Sincerely yours,

Mark A. Guilfoyle

Mark A. Guilfoyle
Interim City Manager
City of Abilene

LAW OFFICE

N. ROYCE NELSON
SIDNEY A. REITZ
DAVID D. MOSHIER
DEBRA EGLI JAMES
JEFFREY E. KING
BRIAN W. WOOD

HAMPTON & ROYCE, L.C.

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PHONE: (785) 827-7251 | FAX: (785) 827-2815
www.hamptonlaw.com

TISHA S. MORRICAL
TODD W. DAVIDSON
RUSSEL B. PROPHET
NATHANAEL W. BERG
LEE A. LEGLEITER

OF COUNSEL
C. STANLEY NELSON

December 27, 2012

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410

Re: Scott L. and Christine c. Ostermann vs. Lisa M. Weaver, Vickie Faulkner, Michael Teasley, and Amanda Dohe
Case No. 12 CV 140
Dickinson County District Court

Dear Mr. and Ms. Ostermann:

Please be informed that our office has been retained to represent Vickie Faulkner, Michael Teasley, and Amanda Dohe in the above-referenced matter. We have received a copy of the Petition and have reviewed the same. In that Petition you appear to be requesting that you be repaid for $45,000 in legal expenses from the prior lawsuits against Lisa Weaver, Vickie Faulkner, and Amanda Dohe.

In Kansas, pursuant to K.S.A. 60-211, any claim made by any party in a lawsuit can only be submitted to the Court if it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay. Any claim must be supported either by existing law or nonfrivolous argument for extending, modifying, or reversing an existing law or the establishment of new law.

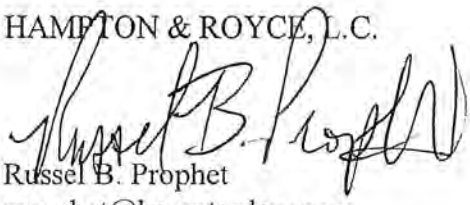
To my knowledge, there is no existing law or nonfrivolous argument for modification of an existing law that would allow you to file a lawsuit requesting repayment of attorney fees from previously filed lawsuits. I am writing to provide you an opportunity to explain to me the basis for your Petition and the existing law that supports your claim that you may seek attorney fees against my clients for expenses incurred in prior lawsuits.

If you do not provide our office with satisfactory explanation of the legal basis for your claims within ten (10) business days, I will be left with no other choice but to file a motion seeking to dismiss the Petition and requesting sanctions for the frivolous nature of your lawsuit. Accordingly, I would strongly urge you to take this opportunity to either provide us an adequate explanation of the legal basis for your claims or to voluntarily dismiss the lawsuit.

We look forward to your response. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

HAMPTON & ROYCE, L.C.



Russel B. Prophet
rprophet@hamptonlaw.com

RBP/dh

cc: Ms. Vickie Faulkner
Mr. Michael Teasley
Ms. Amanda Dohe

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
SALINA, KANSAS 67402-1247
(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN,	)	
Plaintiffs,	)	
vs.	)	**Case No. 12 CV 140**
	)	
LISA M. WEAVER, VICKIE FAULKNER,	)	
MICHAEL TEASLEY, AMANDA DOHE,	)	
Defendants.	)	
	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

ANSWER OF DEFENDANTS
VICKIE FAULKNER, MICHAEL TEASLEY, AND AMANDA DOHE

COMES NOW Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe (hereinafter "Defendants"), by and through their attorney, Russel B. Prophet, of Hampton & Royce, L.C., and for their Answer to the Petition filed herein, state as follows:

1. Any allegation contained in the Petition not specifically responded to herein is hereby denied.

2. With regard to the allegations contained in Paragraph 1 of the Petition, Defendants are without sufficient information to either confirm or deny that allegation, and therefore deny the same.

3. With regard to the allegations contained in Paragraphs 2, 3, and 4 of the Petition, those allegations regarding residency and service addresses are admitted.

4. After setting forth four numbered contentions (Paragraphs 1 through 4), Petitioner's Petition again restarts numbering its contentions with Number 1. With regard to the second use of Paragraph 1, Defendants admit only that Plaintiffs Scott and Christine Ostermann have previously filed several lawsuits already addressing all issues between Plaintiffs and Defendants.

5. Notably, Dickinson County Case No. 09 CV 150, *Scott L. Ostermann and Christine C. Ostermann vs. Amanda Dohe and Vicki Faulkner*, has been concluded in its entirety. In that case, Judgment was entered in favor of Plaintiffs requiring certain corrective actions including removal of a roof overhang and movement of electric and gas meters to new locations. Those corrective actions were completed in a timely fashion and a satisfaction of judgment was filed, or should have been filed, by the Plaintiffs. Notably, the Plaintiffs do not complain that any of the corrective actions required by the Journal Entry of Judgment dated July 23, 2010, in 09 CV 150 were not completed fully as required by the Court's Order.

6. The allegations contained in the second Paragraph 2 of Plaintiff's Petition are denied except to the extent that it is admitted that Amanda Dohe was recorded as an owner of the property in question, and that her ownership of the property was part of an estate plan for Vicki Faulkner. Vicki Faulkner was the bar's manager and Michael Teasley was an employee at the bar at the time of the discovery responses in Case No. 09 CV 150.

7. These Defendants deny the allegations contained in the second Paragraph 3, the second Paragraph 4, Paragraphs 4.a, 4.b, 4.c, 4.f, 4.g, and Paragraphs 5 and 6 of Plaintiffs' Petition.

8. With regard to Paragraph 4.d, the allegations contained in that paragraph are denied except to the extent that the Defendants understand that Lisa M. Weaver filed for bankruptcy, in U.S. Bankruptcy Court Case No. 09-13-12. These Defendants lack sufficient information to either confirm or deny any other allegations contained in that paragraph.

CERTIFICATE OF MAILING

I, Russel B. Prophet, do hereby certify that on this 27 day of December, 2012, I mailed a true and correct copy of the above and foregoing Answer of Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe by United States mail, first class, postage prepaid, addressed to:

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
Plaintiffs

and that on that same date, I mailed the original hereof to the:

Clerk of the District Court
Dickinson County Courthouse
P.O. Box 127
Abilene, Kansas 67410-0127

for filing in accordance with the law.

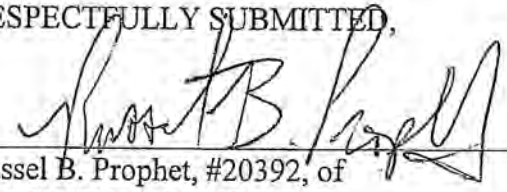
Russel B. Prophet

9. These Defendants assert the defense of Plaintiffs' failure to state a claim, as no grounds exist on which Plaintiffs may assert either fraud or any claim for reimbursement of attorney fees from prior lawsuits. Plaintiffs generally fail to allege any cognizable legal claim in their Petition.

10. These Defendants further assert the affirmative defenses of accord and satisfaction, payment, release, comparative fault, assumption of risk, res judicata, the statute of limitations, waiver, release and payment, and estoppel.

WHEREFORE, Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe pray that the Plaintiffs take naught from them by their Petition; and for such other and further relief as the Court deems just and equitable.

RESPECTFULLY SUBMITTED,



Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants
Vickie Faulkner, Michael Teasley, Amanda Dohe

12CV140

Scott Osterman
Vs
Lisa Weaver

I have not owned Downsouth Tavern for years. I did not retain Scotts attorney's for him he did that himself, why he thinks I should have to pay for them is beyond me. I have had to file bankruptcy once over Scott, any money I owed to him was put on the bankruptcy. I do not have any money so I dont know what this man is after, he needs to quit harrassing me!

L. Weaver

FILED
2013 JAN -2 AM 10: 54
CLERK OF DISTRICT COURT
DICKINSON COUNTY, KANSAS

Will Send 1st Class Mail ON 1/2/13

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
SALINA, KANSAS 67402-1247
(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN, **Plaintiffs,**	)	
vs.	)	**Case No. 12 CV 140**
LISA M. WEAVER, VICKIE FAULKNER, MICHAEL TEASLEY, AMANDA DOHE, **Defendants.**	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

MOTION FOR JUDGMENT ON THE PLEADINGS

COMES NOW Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe (hereinafter "Defendants"), by and through their attorney, Russel B. Prophet, of Hampton & Royce, L.C., and for their Motion for Judgment on the Pleadings, state as follows:

1. Plaintiffs Scott L. and Christine C. Ostermann (hereinafter "Plaintiffs") filed suit against the Defendants, stating as their cause of action, "years of legal bills" and "undue accumulation of time and $45000 in legal expense".

2. Plaintiffs' Petition specifically references the fact that the attorney fees sought by the Plaintiffs in this Petition arose from prior legal actions.

3. Pursuant to longstanding case law, *Johnston v. Westhoff Sand Company*, 281 Kan. 930, 135 P.3rd. 1127 (2006), attorney fees cannot be awarded absent statutory authority or a contractual agreement.

4. Plaintiffs' Petition does not allege that any statutory authority or contractual agreement exists by which they can assert their claim for attorney fees.

5. No statutory basis exists for Plaintiffs' request for reimbursement of attorney fees, Plaintiffs' Petition fails to state a legally cognizable claim, and Plaintiffs' Petition should be dismissed with prejudice.

RESPECTFULLY SUBMITTED,

Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants
Vickie Faulkner, Michael Teasley, Amanda Dohe

NOTICE OF HEARING

PLEASE TAKE NOTICE that the above and foregoing Motion for Judgment on the Pleadings will come on for hearing before the Honorable David R. Platt at the Dickinson County Courthouse, 109 East 1st Street, Abilene, Kansas, on Friday, February 1, 2013, commencing at 9:30 a.m., or as soon thereafter as the same may be heard.

Russel B. Prophet

Rec, 2-7-13

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
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(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN, Plaintiffs,	)	
vs.	)	**Case No. 12 CV 140**
LISA M. WEAVER, VICKIE FAULKNER, MICHAEL TEASLEY, AMANDA DOHE, Defendants.	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

ORDER

NOW on this 1st day of February, 2013, the above-referenced matter comes on for hearing. Plaintiffs Scott L. and Christine C. Ostermann appear in person and pro se. Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe appear by and through their attorney, Russel B. Prophet, of Hampton & Royce, L.C. There are no other appearances.

WHEREUPON, having reviewed the Court's file, Defendants' Motion for Judgment on the Pleadings, and receiving arguments from the parties, the Court hereby finds and Orders as follows:

1. Defendants Vicki Faulkner, Michael Teasley, and Amanda Dohe are granted Judgment on the pleadings with regard to their Motion and any request by Plaintiffs for payment of attorney fees.

2. Plaintiffs may not pursue any claim for attorney fees against those Defendants at this time.

3. The Court finds that with regard to Plaintiffs' Petition, it is sufficiently vague or ambiguous to contain claims other than those stated for attorney fees that may have survived the Motion for Judgment on the Pleadings.

4. This matter is scheduled for pretrial hearing to be held on Friday, April 26, 2013, at 10 a.m. If the parties are able to agree on a proposed Pretrial Order, it may be submitted directly to the Court for approval. If the parties are unable to agree on a Pretrial Order, the parties will each individually submit their Proposed Pretrial Questionnaires to the Court in advance of the pretrial hearing.

IT IS SO ORDERED.

_____
David R. Platt
District Court Judge

SUBMITTED AND APPROVED BY:

_____
Scott L. Ostermann
Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
(785) _____
Plaintiff, Pro se

_____
Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants
Vickie Faulkner, Michael Teasley, Amanda Dohe

Please take note that the above Order is being submitted pursuant to Supreme Court Rule 170. You have ten (10) days upon receipt to serve on the submitting counsel any objections you have concerning the content of this Order. Upon the expiration of ten (10) days, this Order will be submitted to the Court for its signature and approval.

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(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN, **Plaintiffs,**	)	
vs.	)	**Case No. 12 CV 140**
LISA M. WEAVER, VICKIE FAULKNER, MICHAEL TEASLEY, AMANDA DOHE, **Defendants.**	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

CERTIFICATE PURSUANT TO SUPREME COURT RULE NO. 170

Russel B. Prophet, of Hampton & Royce, L.C., attorneys for Michael Teasley, Amanda Dohe, and Vickie Faulkner, hereby certifies that on this 5th day of February, 2013, he served a true and correct copy of an Order in the above-captioned matter on Plaintiffs, whose names and address is as follows:

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
Plaintiffs

You are advised pursuant to Supreme Court Rule No. 170 that unless you serve on Counsel for Petitioner, in writing, within ten (10) days hereof, any objections you have to the proposed Order, same will be submitted to the Court for entry.

DATED: February 5, 2013.

Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants Vicki Faulkner,
Michael Teasley, Amanda Dohe

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
SALINA, KANSAS 67402-1247
(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN, **Plaintiffs,**	)	
vs.	)	**Case No. 12 CV 140**
LISA M. WEAVER, VICKIE FAULKNER, MICHAEL TEASLEY, AMANDA DOHE, **Defendants.**	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

MOTION FOR HEARING

COMES NOW Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe (hereinafter "Defendants"), by and through their attorney, Russel B. Prophet, of Hampton & Royce, L.C., and for this Motion for Hearing, state:

1. Defendants Vicki Faulkner, Michael Teasley, and Amanda Dohe received an Objection to the Order submitted to the Plaintiffs concerning the Court's hearing on February 1, 2013, and the Court's Orders with regard to the Motion for Judgment on the Pleadings.

2. Plaintiffs' Objection clearly states that they object to the Order prepared and submitted by Defendants' attorney.

3. Plaintiffs' Objection, however, does not state what specific part of the Order they object to. Rather, it appears to be a general restatement of the claims made in their Petition.

4. Pursuant to Supreme Court Rule No. 170, Defendants' attorney had submitted the proposed Order from the hearing on February 1, 2013, for review and signature by Plaintiffs. Plaintiffs now refuse to sign the prepared Order, but also appear to object generally to the Court's decision and not to the actual language contained in the proposed Order.

5. Accordingly, these Defendants respectfully request that the Court approve the attached Order previously submitted to the Plaintiffs pursuant to Supreme Court Rule 170, or that in the alternative, the Court conduct a hearing to determine what modifications to the proposed Order may be appropriate.

RESPECTFULLY SUBMITTED,

Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants
Vickie Faulkner, Michael Teasley, Amanda Dohe

NOTICE OF HEARING

PLEASE TAKE NOTICE that the above and foregoing Motion for Hearing will come on for hearing before the Honorable David R. Platt at the Dickinson County Courthouse, 109 East 1st Street, Abilene, Kansas, on Friday, April 5, 2013, commencing at 9 a.m., or as soon thereafter as the same may be heard.

Russel B. Prophet

CERTIFICATE OF MAILING

I, Russel B. Prophet, do hereby certify that on this 20th day of February, 2013, I mailed a true and correct copy of the above and foregoing Motion for Hearing and Notice of Hearing by United States mail, first class, postage prepaid, addressed to:

Judge David R. Platt
District Court Judge
Geary County Courthouse
138 East 8th Street
Junction City, Kansas 66441

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
Plaintiffs

and that on that same date, I mailed the original hereof to the:

Clerk of the District Court
Dickinson County Courthouse
P.O. Box 127
Abilene, Kansas 67410-0127

for filing in accordance with the law.

Russel B. Prophet

LAW OFFICE

N. ROYCE NELSON
SIDNEY A. REITZ
DAVID D. MOSHIER
DEBRA EGLI JAMES
JEFFREY E. KING
BRIAN W. WOOD

HAMPTON & ROYCE, L.C.

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TISHA S. MORRICAL
TODD W. DAVIDSON
RUSSEL B. PROPHET
NATHANAEL W. BERG
LEE A. LEGLEITER

OF COUNSEL
C. STANLEY NELSON

March 13, 2013

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410

Re: Scott L. and Christine c. Ostermann vs. Lisa M. Weaver, Vickie Faulkner, Michael Teasley, and Amanda Dohe
Case No. 12 CV 140; Dickinson County District Court

Dear Mr. and Ms. Ostermann:

On February 7, 2013, we submitted to you Defendant's First Combined Interrogatories, Request for Production of Documents, and Requests for Admissions. As noted in those documents, you were to answer the questions and requests made in those documents and serve your responses on our office within thirty days. The thirty day period allowed for you to answer those discovery requests has passed, but we have not received any response to those discovery questions.

Please consider this our good faith attempt to obtain your compliance with the previously issued Interrogatories, Request for Production of Documents, and Requests for Admissions. We would ask that you contact our office at the earliest possible opportunity so that we can discuss when you will be able to provide us with the full and complete responses to those discovery requests.

We look forward to hearing from you.

Sincerely,

HAMPTON & ROYCE, L.C.

Russel B. Prophet
rprophet@hamptonlaw.com

RBP/dh
cc: Ms. Vickie Faulkner
Mr. Michael Teasley
Ms. Amanda Dohe

LAW OFFICE

N. ROYCE NELSON
SIDNEY A. REITZ
DAVID D. MOSHIER
DEBRA EGLI JAMES
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TISHA S. MORRICAL
TODD W. DAVIDSON
RUSSEL B. PROPHET
NATHANAEL W. BERG
LEE A. LEGLEITER

OF COUNSEL
C. STANLEY NELSON

February 5, 2013

Mr. and Ms. Scott L. Ostermann
415 Brice Court
Abilene, Kansas 67410

Re: Scott L. and Christine C. Ostermann vs. Weaver, et al.
Case No. 12 CV 140
Dickinson County District Court

Dear Mr. and Ms. Ostermann:

Enclosed please find a copy of the Order we have prepared pursuant to the hearing in the above matter on February 1, 2013, together with a copy of the Certificate Pursuant to Supreme Court Rule No. 170 that has been filed in this case.

Please note that you have ten (10) days from the date of this letter to sign the enclosed Order and return it to our office for filing. If you object to the wording in the Order, you must also notify our office within that ten (10) day period. If we do not receive the signed Order or do not receive an objection to the Order from you within that ten day period, the Order will be approved by the Court.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

HAMPTON & ROYCE, L.C.

Russel B. Prophet
rprophet@hamptonlaw.com

RBP/dh
Enclosures

cc: Mr. Michael Teasley
Ms. Amanda Dohe
Ms. Vickie Faulkner

LAW OFFICE

N. ROYCE NELSON
SIDNEY A. REITZ
DAVID D. MOSHIER
DEBRA EGLI JAMES
JEFFREY E. KING
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www.hamptonlaw.com

TISHA S. MORRICAL
TODD W. DAVIDSON
RUSSEL B. PROPHET
NATHANAEL W. BERG
LEE A. LEGLEITER

OF COUNSEL
C. STANLEY NELSON

April 22, 2013

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410

Re: Scott L. and Christine c. Ostermann vs. Lisa M. Weaver, Vickie Faulkner, Michael Teasley, and Amanda Dohe
Case No. 12 CV 140; Dickinson County District Court

Dear Mr. and Ms. Ostermann:

We are in receipt of your discovery responses. In reviewing the answers that you provided to our Interrogatories and Requests for Admissions, several questions were raised. Specifically, Interrogatory No. 11 requires you to identify and itemize each item or expense that you are asking Vicki Faulkner, Michael Teasley, or Amanda Dohe to pay to you for damages. Your answer states that you believe you stand to lose in excess of $100,000, but the answer does not explain how that number is calculated or what the components of that number are. You claim that you reserve the right to detail additional claims for costs or damages at a later date. Any claim for damages or costs has to be specifically itemized in response to this question. We would ask that you provide a specific and detailed answer to this Interrogatory.

You objected to Interrogatory No. 15 saying that you found it confusing. Your objection is not in the proper format. Additionally, if you would explain what you find confusing in Interrogatory No. 15, I would be happy to explain. Interrogatory No. 15 asks that for any Request for Admissions that you have denied, that you explain why you are denying the Request for Admissions. It is fairly straightforward and is only asking that you provide a detailed and written response explaining any denial of a Request for Admissions.

Your response to Interrogatory No. 8 requesting that you identify any action that you claim was fraud by Michael Teasley identifies only the exhibits that you have attached in response to the question. Your answer to this question needs to explain the exact basis and specific actions that you are claiming were fraud. Please provide a full and detailed response to Interrogatory No. 8, in addition to the exhibits and documents that you forwarded.

The same issue exists with regard to your answers to Interrogatories Nos. 9 and 10 for Vicki Faulkner and Amanda Dohe.

Additionally, you have failed to answer Request for Admissions No. 3. Specifically, the Request for Admissions asks whether you signed the Settlement Agreement dated June 24, 2010, that was attached as Exhibit A. Specifically, is that your signature on the document?

Your answers to Requests for Admissions Nos. 4 through 8 refer to your answer for No. 3, and allege an objection. An explanation for your objection to those Requests for Admissions is not provided. Please explain specifically what your legal objection is to those Requests for Admissions, and perhaps that issue can be resolved. In addition, each of those Requests for Admissions requires a yes or no answer. Please provide a yes or no answer to those Requests for Admissions.

Also, as you will recall from the last hearing, the Court ordered that you prepare a Journal Entry containing the Court's orders from the last hearing. You were provided 10 days to prepare that proposed Journal Entry. To date, I have not received any proposed Journal Entry. Please provide that to me at the earliest possible opportunity.

We look forward to hearing from you.

Sincerely,

HAMPTON & ROYCE, L.C.

Russel B. Prophet
rprophet@hamptonlaw.com

RBP/dh

cc: Ms. Vickie Faulkner
Mr. Michael Teasley
Ms. Amanda Dohe

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
SALINA, KANSAS 67402-1247
(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN,	)	
Plaintiffs,	)	
vs.	)	**Case No. 12 CV 140**
	)	
LISA M. WEAVER, VICKIE FAULKNER,	)	
MICHAEL TEASLEY, AMANDA DOHE,	)	
Defendants.	)	
	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

DEFENDANTS FAULKNER, TEASLEY AND DOHE PRETRIAL QUESTIONNAIRE

COMES NOW, Russel B. Prophet, of Hampton & Royce, L.C., on behalf of Defendants Vickie Faulkner, Michael Teasley and Amanda Dohe, pursuant to K.S.A. 60-216 and local rules of this District Court, and submits the following Pretrial Questionnaire:

1. Present Date: April 22, 2013

2. The name of the party who you represent:

   Vickie Faulkner, Michael Teasley and Amanda Dohe

3. Your name: Russel B. Prophet, of Hampton & Royce, L.C.
   P.O. Box 1247, Salina, Kansas 67402-1247

4. Request for Amendments to Pleadings:

None at this time

5. Suggested Stipulations:

(a) Copies of exhibits may be used in lieu of the originals.

(b) All witnesses and exhibits listed by one party may be called or used by the other party.

(c) Reproductions and overlays of documents listed as exhibits may be used in the trial, so long as the reproduction or overlay does not distort the document.

6. Requests for Admissions:

None at this time.

7. Defendant's contentions:

Plaintiffs Scott and Christine Ostermann own real estate next to the Down South Tavern on 210 W. 1st St., Abilene, Kansas. The Ostermanns filed suit against Lisa Weaver in 2007 (Dickinson County Case No. 07CV131), claiming trespass on their property from an electric meter, window air conditioning unit, and overhanging roof line that they alleged crossed onto their side of the property. Judgement was entered against Lisa Weaver that required her to remedy those problems. Lisa Weaver sold the property to Vickie Faulkner who titled it in her daughter Amanda Dohe's name as part of her estate plan.

Vickie Faulkner was not aware of the order entered against Lisa Weaver requiring the removal of the trespassing utility meters, air conditioning unit, and roof line, and was sued by the Ostermanns to remedy those issues in Dickinson County Case No. 09 CV 150. The Ostermanns entered a settlement agreement with Vickie Faulkner that resolved the issues in that case and resulted in the re-location of the offending meters and property.

The Ostermanns have filed the present lawsuit several years after the completion of the prior lawsuits, alleging that they are entitled to reimbursement of their attorney fees and other expenses related to the previous lawsuits. The Court has ruled that any claim for attorney fees is barred and has been dismissed, but has allowed the Ostermanns to proceed on any other remaining claims from their Petition. The Defendants contend that there are no new issues to address in this lawsuit that have not already been dealt with in the prior lawsuit and that the Ostermanns do not have any legal claim to pursue in this case.

8. Mixed Questions of Fact and Law:

(a) Have the Ostermanns stated a claim against the Defendants not previously disposed of in their prior lawsuits?

(b) What damages, if any, can the Ostermanns assert against the Defendants in this lawsuit?

9. Discovery:

a. List the discovery you have completed:

Written discovery - still obtaining complete responses from Plaintiffs

b. Please specify further discovery contemplated:

Possible deposition of the Plaintiffs

c. If further discovery is contemplated, state when same will be completed:

To be determined based on the completeness of Plaintiffs' written discovery responses

10. Motions:

a. List motions you have pending:

Motion to compel discovery responses

b. List motions you intend to file prior to trial:

Motion for summary judgment.

One or more possible motions in limine.

11. State the procedural problems which you may have:

Plaintiffs have not submitted a draft JE from the April 5, 2013 hearing as ordered by the Court.

Plaintiffs have provided only incomplete responses to Defendants' written discovery.

12. List of Defendant's witnesses:

(a) Vickie Faulkner
(b) Michael Teasley
(c) Scott Ostermann
(d) Christine Ostermann
(e) 3rd Party records custodians
(f) All witnesses listed by Plaintiff

(g) Rebuttal witnesses

13. List all Defendant's exhibits:

(a) All documents obtained in discovery and through 3rd party subpoenas
(b) Settlement Agreement disposing of Dickinson County Case No. 09 CV 150
(c) All documents agreed to be produced
(d) Rebuttal documents

14. Trial assignment:

a. Should case receive priority setting, and if so, why?

No

b. Are you requesting court or jury trial?

Bench trial

c. If jury trial, would you stipulate to six member jury?

No

d. What is estimated time for trial?

One (1) day

RESPECTFULLY SUBMITTED,

Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants Faulkner, Teasley, Dohe

CERTIFICATE OF MAILING

I, Russel B. Prophet, do hereby certify that on this 23rd day of April, 2013, I mailed a true and correct copy of the above and foregoing Pretrial Questionnaire of Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe by United States mail, first class, postage prepaid, addressed to:

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
Plaintiffs

and that on that same date, I mailed the original hereof to the:

Clerk of the District Court
Dickinson County Courthouse
P.O. Box 127
Abilene, Kansas 67410-0127

for filing in accordance with the law.

Russel B. Prophet

LAW OFFICE

N. ROYCE NELSON
SIDNEY A. REITZ
DAVID D. MOSHIER
DEBRA EGLI JAMES
JEFFREY E. KING
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TISHA S. MORRICAL
TODD W. DAVIDSON
RUSSEL B. PROPHET
NATHANAEL W. BERG
LEE A. LEGLEITER

OF COUNSEL
C. STANLEY NELSON

April 30, 2013

Mr. and Ms. Scott L. Ostermann
415 Brice Court
Abilene, Kansas 67410

Re: Scott L. and Christine C. Ostermann vs. Weaver, et al.
Case No. 12 CV 140
Dickinson County District Court

Dear Mr. and Ms. Ostermann:

Enclosed please find a copy of the Order of Dismissal we have prepared pursuant to the hearing in the above matter on April 26, 2013, together with a copy of the Certificate Pursuant to Supreme Court Rule No. 170 that has been filed in this case.

Please note that you have ten (10) days from the date of this letter to sign the enclosed Order of Dismissal and return it to our office for filing. If you object to the wording in the Order, you must also notify our office within that ten (10) day period. If we do not receive the signed Order or do not receive an objection to the Order from you within that ten day period, the Order will be approved by the Court.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

HAMPTON & ROYCE, L.C.

Russel B. Prophet
rprophet@hamptonlaw.com

RBP/dh
Enclosures

cc: Mr. Michael Teasley
Ms. Amanda Dohe
Ms. Vickie Faulkner

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
SALINA, KANSAS 67402-1247
(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN, **Plaintiffs,**	)	
vs.	)	**Case No. 12 CV 140**
LISA M. WEAVER, VICKIE FAULKNER, MICHAEL TEASLEY, AMANDA DOHE, **Defendants.**	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

MOTION TO COMPEL

COMES NOW Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe (hereinafter "Defendants"), by and through their attorney, Russel B. Prophet, of Hampton & Royce, L.C., and for this Motion to Compel, state as follows:

1. On February 7, 2013, the Defendants submitted written Interrogatories, Requests for Production of Documents, and Requests for Admissions to the Plaintiffs, to be answered within thirty (30) days.

2. When the Plaintiffs failed to respond to the written discovery requests submitted by the Defendants, Defendants' counsel contacted Plaintiffs by letter dated March 13, 2013, and requested that Plaintiffs provide timely responses to the discovery requests.

3. Eventually, Plaintiffs provided responses to the written discovery requests. Plaintiffs' responses were incomplete, however, and failed to fully and completely respond to many of the questions and requests for information contained in the written discovery requests.

4. Specifically, regarding Request for Admissions Numbers 3 - 9 (Exhibit A - Defendants' Requests for Admissions; Exhibit B - Plaintiffs' Responses), the Defendants requested admissions from Plaintiffs that a settlement agreement had been entered into resolving their prior lawsuit and that the actions required by the settlement agreement had been carried out pursuant to that agreement.

5. Plaintiffs objected to these questions, failing to state the basis of their objection, and then generally refused to respond to these questions.

6. Defendants request that Plaintiffs' objection be struck and that the Requests for Admissions be deemed admitted.

7. Defendants' Interrogatories Number 8, 9, and 10 requesting the Plaintiffs explain what actions they allege constitute fraud by the Defendants (Exhibit C - Interrogatories Number 8, 9, and 10) were responded to by Plaintiffs only by providing photos, correspondence, and other documents related to the previous lawsuits. No specific allegation of fraud or specific answer to Defendants' requests are contained in these Interrogatories (Exhibit D - Plaintiffs' responses to Interrogatories Number 8, 9, and 10).

8. Defendants request that the Court either require Plaintiffs to provide specific factual contentions in response to the Interrogatories, or alternatively, strike all portions of Plaintiffs' claim related to any allegation of fraud against the Defendants.

9. Defendants' Interrogatory Number 11 requested that the Plaintiffs identify and itemize each item or expense that they are requesting they be reimbursed by the Defendants (Exhibit E).

10. Plaintiffs' response to Interrogatory Number 11 did not itemize any portion of the damages claimed by Plaintiffs, stating only "The Plaintiff's stand to lose in excess of $100,000, not including lost return on investment, or any return on labor, on the sale of the renovation project undertaken by them, at 101 N. Cedar Street, Abilene." (See Exhibit F.)

11. Plaintiffs' response states a general claim for damages, but does not itemize the specific elements of that claim and does not explain their alleged damages.

12. Defendants request that the Court order the Plaintiffs to provide a full and complete response to Interrogatory Number 11, itemizing each specific element of damages.

RESPECTFULLY SUBMITTED,

Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants
Vickie Faulkner, Michael Teasley, Amanda Dohe

NOTICE OF HEARING

PLEASE TAKE NOTICE that the above and foregoing Motion to Compel will come on for hearing before the Honorable David R. Platt at the Dickinson County Courthouse, 109 East 1st Street, Abilene, Kansas, on Friday, April 26, 2013, commencing at 10 a.m., or as soon thereafter as the same may be heard.

Russel B. Prophet

CERTIFICATE OF MAILING

I, Russel B. Prophet, do hereby certify that on this 13th day of April, 2013, I mailed a true and correct copy of the above and foregoing Motion to Compel and Notice of Hearing by United States mail, first class, postage prepaid, addressed to:

Judge David R. Platt
District Court Judge
Geary County Courthouse
138 East 8th Street
Junction City, Kansas 66441

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
Plaintiffs

and that on that same date, I mailed the original hereof to the:

Clerk of the District Court
Dickinson County Courthouse
P.O. Box 127
Abilene, Kansas 67410-0127

for filing in accordance with the law.

Russel B. Prophet

REQUEST FOR ADMISSION NO. 1

Do you admit that all documents and communications furnished by you pursuant to these written discovery requests are genuine and that no further foundation need be laid for admissibility at trial?

ANSWER:

REQUEST FOR ADMISSION NO. 2

Do you admit and stipulate that all documents and communications produced by you in response to these written discovery requests may be offered as evidence in this trial without any objection to foundation, but reserving all other evidentiary objections for determination at the time of trial?

ANSWER:

REQUEST FOR ADMISSION NO. 3

Do you admit and stipulate that you entered into a Settlement Agreement dated June 24, 2010, with Vicki Faulkner, a copy of which is attached to these discovery requests as Exhibit "A"?

ANSWER:

REQUEST FOR ADMISSION NO. 4

Do you admit and stipulate that Vicki Faulkner, at her cost, moved the electrical meter as required by the Settlement Agreement?

ANSWER:

REQUEST FOR ADMISSION NO. 5

Do you admit and stipulate that Vicki Faulkner, at her cost, moved all other utilities as required by the Settlement Agreement:

ANSWER:

REQUEST FOR ADMISSION NO. 6

Do you admit and stipulate that Vicki Faulkner removed the roof overhang and guttering as required by the Settlement Agreement?

ANSWER:

REQUEST FOR ADMISSION NO. 7

Do you admit and stipulate that the window air conditioner was moved as required by the Settlement Agreement?

ANSWER:

REQUEST FOR ADMISSION NO. 8

Do you admit and stipulate that you did not directly pay for any of the corrective actions to move the utilities, roof overhang, or guttering as indicated by the Settlement Agreement?

ANSWER:

REQUEST FOR ADMISSION NO. 9

Do you admit and stipulate that you failed to file a satisfaction of judgment as required by the Settlement Agreement?

ANSWER:

Dated: February 7th, 2013.

Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
119 West Iron Ave.
P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251 - Telephone
(785) 827-2815 - Facsimile
Attorneys for Defendants Michael Teasley,
Vickie Faulkner, and Amanda Dohe

Answer to Request for Admission No. 1:

Admitted

Answer to Request for Admission No. 2:

Admitted

Answer to Request for Admission No. 3:

I admit and stipulate that Amanda Dohe was not in attendance at the Mediation, referenced by Exhibit "A", because she was only "portraying" to be the "owner" of the property located at 210 W. First Street, prior to, and during Civil Case, 2009-CV-150. The defendants and their attorney continue to introduce pleadings that obfuscate and delay previous findings of the Court.

Furthermore, the unaccompanied attendance of Vickie Faulkner, at the Mediation, June 24, 2010, establishes the defendant's , acquiescence and / or acknowledgment that Vickie Faulkner was for all intent and purpose, the principal, in pari delicto with Mike Teasley, for all times relevant. See Petition Claiming Fraud, Case 2012-CV-140.

Answer to Request for Admission No. 4:

Objection- See Answer to Request for Admission No. 3

Answer to Request for Admission No. 5

Objection- See Answer to Request for Admission No. 3

Answer to Request for Admission No. 6

Objection- See Answer to Request for Admission No. 3

Answer to Request for Admission No. 7

Objection- See Answer to Request for Admission No. 3

Answer to Request for Admission No. 8

Objection- See Answer to Request for Admission No. 3

Answer to Request for Admission No. 9

Admitted- There is no guttering installed along the western roof line of 210 W. First Street, as described in Paragraph 2, Item c. in the attached Exhibit "A".

Furthermore, the Plaintiffs are unaware of any part of the settlement agreement, Exhibit "A", that describes any satisfaction of any part of the Journal Entry of Judgment or the Order of Contempt; Case 2007-CV-131, that the defendants were parties to, in pari delicto with Lisa M. Weaver.

INTERROGATORY NO. 8:

Identify with particularity and specificity each action of Michael Teasley that you allege constitutes fraud. Include in your answer each and every document, communication, or other item of evidence that you believe supports, reflects, or refers to any allegation set forth in your answer to this Interrogatory.

ANSWER:

INTERROGATORY NO. 9:

Identify with particularity and specificity each action of Vickie Faulkner that you allege constitutes fraud. Include in your answer each and every document, communication, or other item of evidence that you believe supports, reflects, or refers to any allegation set forth in your answer to this Interrogatory.

ANSWER:

INTERROGATORY NO. 10:

Identify with particularity and specificity each action of Amanda Dohe that you allege constitutes fraud. Include in your answer each and every document, communication, or other item of evidence that you believe supports, reflects, or refers to any allegation set forth in your answer to this Interrogatory.

ANSWER:

Answer to Interrogatory No. 8

Exhibits attached

a.1. Photos of the Tavern Building in 2004 and For Sale in 2005, with newspaper Ad.

a.2. Photos of the Butcher property east of the Tavern and the Tavern junk stored on the Plaintiff's property before removal in 2003. The Plaintiff recalls that the door between the "junk" was the Guilfoyle entrance in 2003.

c. Notarized response from Teasley indicating he had no business records to produce, regarding the purchase of the Tavern, July 24, 2008. Yet, somehow, he is now "owner" of that property.

d. Closing Statement for Amanda Dohe, signed by Michael Teasley.

e. Title Insurance issued to Amanda Dohe as the owner of the property and the Title Insurance.

f.1.2. Demand letter from Bristow to Amanda Dohe; mailed to Mike Teasley's address in Abilene; which was listed as the contact address, at the Dickinson County Courthouse.

g. Weaver Bankruptcy, page 6 of 45, Case 09-13012, which lists Uncle Mike Teasley as the Tavern property Buyer.

h.1.2. Letter from Bristow to Plaintiff dated December, 2008, whereby on page 2, she details contact from Mr. Guilfoyle regarding his representation of Mike Teasley and Vickie Faulkner.

Answer to Interrogatory No. 9

Exhibits attached

a.Letter from Martin to Plaintiff, whereby he mistakenly refers to Vickie Faulkner, as being defendant Amanda Dohe. In subsequent conversation with the Plaintiff , Martin determined that it was actually Vickie Faulkner, who was in Court with Prophet, on January 15, 2010.

b.1.2. Photos of the property from 2003-2008, where the Plaintiff observed Vickie Faulkner, tending to the business, 6 days per week, from approx. 9am to 5pm almost every day, until her illness in 2010.

c. Letter from Prophet to Martin alleging that Vickie had no documentation, of the 2008 property conveyance, besides the grainy photos and the Kellogg letter to Weaver attached to the Dohe Interrogatory.

d. Closing Statement signed by Vickie Faulkner.

e. Title Insurance issued to Amanda Dohe as the owner without exceptions or declarations referring to Vickie Faulkner's use or occupation of the property. (Triple Net Lease ?)

f. 1.2. Letter from Bristow to Amanda Dohe to the Courthouse address that Mike Teasley owns and where Vickie has lived for 15 plus years.

g. Weaver Bankruptcy document illustrating that Weaver didn't know Vickie Faulkner's name was on the Cashier's Checks to the Title Agent.

h.1.2. Motion to Compel (Case 2009-CV-150) detailing Faulkner's reluctance to return Interrogatory to the Plaintiff's attorney.

i. Notice of Hearing , 2009-CV-150, that was canceled the day before mediation. Allegedly to abate costs to the Plaintiffs.

j. Mediation agreement signed by Vickie Faulkner and not Amanda Dohe. If Vickie Faulkner was acknowledged to be the responsible party, why were the Plaintiff's attorney's addressing Amanda Dohe, as the defendant in Civil Action?

Answer to Interrogatory No. 10

Exhibits attached

a.One page, two photos of the property that Amanda Dohe claimed to purchase and to own, then claimed she would inherit by gift or life estate, then subsequently deeded by quit claim to Mike Teasley, a single person, with no apparent supplemental considerations to her Mother, whom allegedly paid for the property, in 2008. Vickie Faulkner and Mike Teasley occupied the property, prior to, during, and after Dohe's service as "owner".

b. A deed , such as the recorded conveyance of the property from Virginia L., to Virginia L. and Mike Weaver in 1995, would be an example of how simple it may have been to corroborate Dohe's apparent lack of recollections in her interrogatory. There are no conveyance documents recorded since 1995, other than quit claim deeds; until Mike and Vickie's "purchase" of the Tavern, and the subsequent issuance of a Warranty Deed, to Amanda Dohe, in 2008.

c. Prophet letter denying any knowledge or possession of documentation regarding the property conveyance, or any agreements or affidavits, regarding her purchase of 210 W. First Street.

d. Closing Statement signed by Amanda Dohe, Vickie, and Mike. Amanda denied knowledge of the recording of the Deed to 210 W. First Street at the Dickinson County Courthouse, as well as the Journal Entry of Judgment , as well as the signed affidavits, in her response to the Interrogatory, Case 2009-CV-150. Amanda's claims to be the Titled Owner of Record, but not until her Mother passes are mutually exclusive.

e. Title Insurance issued to Amanda Dohe as the Beneficiary of any reimbursement of damages, underwritten and guaranteed by the Title Company.

f. M & G Designs signed proposal as evidence that the Plaintiff was present in Amanda Dohe's office the afternoon she signed for the Tavern. The plaintiff recalls that Amanda made disclosure of her "purchase", earlier that day. The plaintiff's log sheets notate the business in Sylvan Grove also, but are not attached.

g. Announcement of Amanda's partnership with Randy Schroeder.(Feb. 2010)

h.1.2. Demand letter from Bristow to Amanda Dohe, mailed to her Mother's address in Abilene, which is owned by Mike Teasley. This demand letter is dated a little over 3 months after Amanda's 2008 purchase of the Downsouth Tavern.

The Plaintiff wonders how it is even possible; that the Defendants have been able to evade resolution, or satisfaction, to any recorded Judgment or settlement, awarded the Plaintiffs; for almost 5 years now. This reality; could well cast a shadow on the integrity of the application and disposition of due process for the Plaintiffs, in Dickinson County District Court. The Plaintiffs note the Defendant's representation of Mark Guilfoyle, Chris Kellogg, still Mark Guilfoyle , then Russell Prophet, currently Russell Prophet again, and still Mark Guilfoyle. (See Answer, Interrogatory 7, Item n.)

INTERROGATORY NO. 11:

Please identify and itemize each item or expense that you are requesting be reimbursed by Defendants Vicki Faulkner, Michael Teasley, or Amanda Dohe. Identify in your answer any documents, communication, or other evidence that reflect, refer, or support your claim of damage set forth in your Answer to this Interrogatory.

ANSWER:

EXHIBIT E

Answer to Interrogatory No. 11

The Plaintiff's stand to lose in excess of $100,000, not including lost return on investment, or any return on labor, on the sale of the renovation project undertaken by them, at 101 N. Cedar Street, Abilene. The principal reason for this assessment is due to the property's undesirable location adjacent to the Downsouth Tavern, and the years of excess costs attempting to reach reasonable settlement with the defendants. The plaintiffs reserve the right to detail additional claims of costs and damages at a later date.

Answer to Interrogatory No. 12

2007-CV-131, 132, 2009-CV-150, 2010-CV-104

All actions are connected to the property owned by the Plaintiffs, adjacent to the Downsouth Tavern.

Answer to Interrogatory No. 13

No experts at this time, but the Plaintiffs reserve the right to reference same in the future.

Answer to Interrogatory No. 14

The Plaintiffs intend to dig the open area of their property on Lot 27, to remove buried unused water lines, unused gas lines, and discover and disconnect any unknown and / or unauthorized connections to lines which may be located on their property. This will complete removal of obstructions for continuing efforts to upgrade and increase utility of the property by the current or future owners.

There have been no other tests at this time, but the Plaintiff's reserve the right to do so in the future.

Answer to Interrogatory No. 15

Objection-This interrogatory is confusing to the Plaintiffs. The plaintiffs will be happy to comply upon reasonable requests.

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
SALINA, KANSAS 67402-1247
(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN, **Plaintiffs,**	)	
vs.	)	**Case No. 12 CV 140**
LISA M. WEAVER, VICKIE FAULKNER, MICHAEL TEASLEY, AMANDA DOHE, **Defendants.**	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

ORDER OF DISMISSAL

NOW on this 26th day of April, 2013, the above-referenced matter comes on for hearing. Plaintiffs Scott L. and Christine C. Ostermann appear by and through Scott L. Ostermann, pro se. Defendants Vickie Faulkner, Michael Teasley, and Amanda Dohe appear by and through their attorney, Russel B. Prophet, of Hampton & Royce, L.C.. There are no other appearances.

WHEREUPON, the Court finds and Orders as follows:

1. Plaintiffs have failed to prepare the Journal Entry from the April 5, 2013, hearing as previously ordered by the Court.

2. Additionally, Plaintiffs have not filed a Pretrial Questionnaire as required by local court rules.

3. During the hearing, Plaintiff Scott L. Ostermann indicates to the Court that he is not prepared to proceed to trial, and verbally requests a continuance of the pretrial hearing to provide additional time to retain an attorney.

4. The Court denies Plaintiffs' request.

5. The Court dismisses, without prejudice, the Plaintiffs' lawsuit in its entirety, based on lack of prosecution and Plaintiffs' failure to comply with local court rules.

IT IS SO ORDERED.

David R. Platt
District Court Judge

SUBMITTED AND APPROVED BY:

Scott L. Ostermann
Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
Plaintiffs, Pro se

Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants

Please take note that the above Order of Dismissal is being submitted pursuant to Supreme Court Rule 170. You have ten (10) days upon receipt to serve on the submitting counsel any objections you have concerning the content of this Order. Upon the expiration of ten (10) days, this Order will be submitted to the Court for its signature and approval.

HAMPTON & ROYCE, L.C.
9TH FLOOR - UNITED BUILDING
119 WEST IRON - P.O. BOX 1247
SALINA, KANSAS 67402-1247
(785) 827-7251 - TELEPHONE
(785) 827-2815 - FACSIMILE

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

SCOTT L. and CHRISTINE C. OSTERMANN, **Plaintiffs,**	)	
vs.	)	**Case No. 12 CV 140**
LISA M. WEAVER, VICKIE FAULKNER, MICHAEL TEASLEY, AMANDA DOHE, **Defendants.**	)	

(Proceedings Pursuant to K.S.A. Chapter 60)

CERTIFICATE PURSUANT TO SUPREME COURT RULE NO. 170

Russel B. Prophet, of Hampton & Royce, L.C., attorneys for Michael Teasley, Amanda Dohe, and Vickie Faulkner, hereby certifies that on this 30th day of April, 2013, he served a true and correct copy of an Order of Dismissal in the above-captioned matter on Plaintiffs, whose names and address is as follows:

Mr. Scott L. Ostermann
Ms. Christine C. Ostermann
415 Brice Court
Abilene, Kansas 67410
Plaintiffs

You are advised pursuant to Supreme Court Rule No. 170 that unless you serve on Counsel for Defendants, in writing, within ten (10) days hereof, any objections you have to the proposed Order, same will be submitted to the Court for entry.

DATED: April 30, 2013.

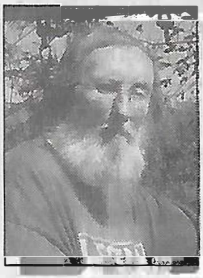
Russel B. Prophet, #20392, of
HAMPTON & ROYCE, L.C.
9th Floor - United Building
119 West Iron - P.O. Box 1247
Salina, Kansas 67402-1247
(785) 827-7251
Attorneys for Defendants Vicki Faulkner,
Michael Teasley, Amanda Dohe

Obituary

Michael R. Teasley

Michael R. Teasley, 68, Abilene, passed away at Salina Regional Hospital on Sept. 13, 2020.

He was born Feb. 7, 1952 in Wichita, the son of Tracy and Mary (Nichols) Teasley. He worked construction and drove for Honorbuilt/ El Dorado in his earlier years before he bought South Side Bar in 1993. He owned and operated the bar for 27 years.



Michael R. Teasley

He was a member of the Elks and Eagles clubs.

Michael is survived by his sisters Thereasa Zdenek, Iris McKale, Carolina Yeager, Melody Hargis, Trina Perez and Steffanie Anderson, his companion of many years Vickie Faulkner, beloved cat Tony, son Laron, two stepchildren Mandy Funk and Ben Faulkner, seven grandchildren, two great-grandchildren and seventeen nieces and nephews.

He was preceded in death by his parents, sister Linda Weaver, niece Terry (McKale) Kolde and nephew Tim Weaver.

The family has chosen cremation. Family will have a come and go greeting at the South Side Bar in Abilene from 3 to 6 p.m. on Saturday, Sept. 19, 2020. Inurnment will take place at a later date.

The family suggests memorials be given to St. Jude's Children's Hospital or to the Wounded Warrior Project. Memorials may be dropped off or mailed to Danner Funeral Home, 501 N. Buckeye, Abilene, Kansas 67410. Online condolences may be sent to www.dannerfuneralhome.net.

Book: D262 Page: 665
Page # 665 of 1

Entered in transfer record in my office
this 15 day of August A.D. 19
Barbara M. Jones
Co. Clerk
Brandy Hoza
Deputy Co. Clerk

STATE OF KANSAS, DICKINSON COUNTY
Karen J Freeman, Register of Deeds
Book: D262 Page: 665
Receipt # 274292
Pages Recorded: 1
Cashier Initials: MHolt
Recording Fee: $21.00
Date Recorded: 8/15/2019 3:51:04 PM

XJJS

KM

KANSAS QUIT CLAIM DEED
(Individual/Tenants In Common)

THIS DEED, made this **17th** day of **July, 2019** by and between **Michael Teasley aka Mike Teasley, a single person**, as Grantor(s), and **Timothy R. Talbert**, as Grantees, whose mailing address is **1540 Jeep Rd, Abilene, KS 67410.**

WITNESSETH, that the Grantor(s), for and in consideration of the sum of One Dollar and other good and valuable consideration paid by the Grantees, the receipt and sufficiency of which is hereby acknowledged by Grantor(s), do/does by these presents **QUIT CLAIM** unto the Grantees, the following described Real Estate, situated in the County of **Dickinson,** State of Kansas, to-wit:

The West Half (W½) of the South Half (S½) of Lot Twenty-five (25), on First Street, Thompson and McCoy's Addition to the City of Abilene, Dickinson County, Kansas.
AND
A parcel in Lots 23 and 25 on First Street in Thompson and McCoy's Addition to the City of Abilene, Dickinson County, Kansas, more particularly described as follows; Commencing at the Southeast corner of said Lot 23, thence N 89°58'37" W along the South line of said Lot a distance of 21.05 feet to the point of beginning;
thence continuing N 89°58'37" W a distance of 38.95;
thence N 00°00'00" E a distance of 61.29 feet;
thence S 89°50'17" E a distance of 39.29 feet;
thence S 00°19'11" W a distance of 61.20 feet to the Point of Beginning.

Subject to all easements, restrictions and reservations, if any, now of record.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the Grantees, and to the heirs and assigns of the Grantees forever.

The Grantor hereby covenanting that neither the Grantor nor Grantor's heirs or assigns, nor any other person or persons for Grantor or in Grantor's name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid Property or in any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

Dated: **August 2, 2019**

Michael Teasley

Michael Teasley

STATE OF **KANSAS**)
) ss.
COUNTY OF **DICKINSON**)

On **August 2, 2019** this deed was acknowledged before me by **Micheal Teasley aka Mike Teasley, a single person**, Grantor(s).

Gloria E. Picking
Notary Public

My appointment expires: 1-6-2023

NOTARY PUBLIC - State of Kansas
GLORIA E. PICKING
My Appt. Exp. 1-6-2023

ELECTRONICALLY FILED
2020 Oct 19 PM 3:43
CLERK OF THE DICKINSON COUNTY
CASE NUMBER: DK-2020-PR-000045
PII COMPLIANT

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS
PROBATE DIVISION

In the Matter of the Estate of	)	
	)	**Case No. DK-2020-PR-**
MICHAEL R. TEASLEY, Deceased	)	

PETITION FOR APPOINTMENT OF ADMINISTRATOR
UNDER KANSAS SIMPLIFIED ESTATES ACT

COMES NOW Amanda Funk, Petitioner, and alleges:

1. Petitioner is a resident of Russell County, Kansas.

2. Petitioner is the step-daughter of the decedent herein.

3. The decedent died intestate at Salina Regional Health Center, Salina, Saline County, Kansas , on September 13, 2020; and at the time of his death was a resident of Dickinson County, Kansas, and a citizen of the United States.

4. The decedent was survived by the following persons, who are all the heirs who can be ascertained with reasonable diligence.

Name	Age	Relationship
Vickie Faulkner	Legal	Common Law Wife
LaRon Teasley	Legal	Son

5. The decedent had no spouse or children or adopted children or issue of deceased children, natural or adopted, or other heirs who survived him, other than the persons above named.

6. The general character and probable value of the decedent's estate are as follows: real and personal property with the approximate value in excess of $75,000.00.

7. The appointment of an Administrator of the estate is necessary for the conservation, collection, and administration of the property according to law. Amanda Funk, step-daughter of the decedent, who is a resident of Russell County, Kansas, is a suitable person to whom to grant letters of administration.

8. The estate could be properly administered under the Kansas Simplified Estates Act for the following reasons: The only assets involved are real and personal property situated in Dickinson County, Kansas.

WHEREFORE, the petitioner prays that Letters of Administration be issued to Amanda Funk, pursuant to the Simplified Estates Act.

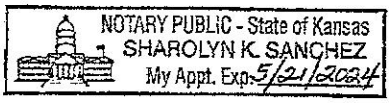
AMANDA FUNK, Petitioner

STATE OF KANSAS, COUNTY OF DICKINSON, ss:

Amanda Funk, of lawful age, being first duly sworn, upon oath says: She is the Petitioner above named; she has read the above and foregoing petition and knows the contents thereof; and all of the statements made therein are true.

AMANDA FUNK

Subscribed and sworn to before me this 25th day of September, 2020.



Sharolyn K. Sanchez
Notary Public
My term expires: May 21, 2024

SUBMITTED BY:

Mark A. Guilfoyle
Mark A. Guilfoyle, SC#11311
MARK A. GUILFOYLE, ATTORNEY, P.A.
306 NW 2nd St.
Abilene, KS 67410
(785) 263-3070
Fax No. (785) 236-5079
Attorney for Petitioner

ELECTRONICALLY FILED
2020 Oct 20 PM 3:11
CLERK OF THE DICKINSON COUNTY
CASE NUMBER: DK-2020-PR-000045
PII COMPLIANT

IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS
PROBATE DIVISION

In the Matter of the Estate of	)	
	)	**Case No. DK-2020-PR-**000045
MICHAEL R. TEASLEY, Deceased	)	

OATH OF ADMINISTRATOR

STATE OF KANSAS, COUNTY OF DICKINSON, ss:

AMANDA FUNK, being first duly sworn on her oath, states:

That she is the duly appointed Administrator of the Estate of Michael R. Teasley, deceased; that as such Administrator she will faithfully and impartially discharge the duties of her trust according to law; and that she is acting on her own behalf and not on behalf of any bank or corporation organized or having its principal place of business outside the state of Kansas.

AMANDA FUNK

Subscribed and sworn to before me this 20th day of October, 2020.

NOTARY PUBLIC - State of Kansas
SHAROLYN K. SANCHEZ
My Appt. Exp. 5/21/2024

Notary Public
My term expires: May 21, 2024

Undisclosed Agency Law and Legal Definition In an undisclosed agency, an **agent deals with a third party who does not have knowledge that the agent is acting on a principal's behalf**. The agency being undisclosed does not prevent the third party from seeking redress from the principal or the agent.

Undisclosed Agency Law and Legal Definition | USLegal, Inc.

definitions.uslegal.com/u/undisclosed-agency/

From: Scott Ostermann <scott.ostermann2@att.net>
Sent: Friday, October 05, 2018 10:49 AM
To: Kent Wyatt <Kent.Wyatt@astra.bank>; drew.snitker@astra.bank
Cc: Randy Gassman <gassman@pgh-cpa.com>; director@dkedc.com
Subject: Too much time and money invested in Abilene Real estate

Hi folks
Please review the attachments for accuracy. Since p g h started doing our taxes ; I don't know where all the expenses are entered on which forms for 102 Highland. I used the depreciation schedules, form 1065 for exhibit K.
As advertised in the reflector this week; we have 2 commercial properties listed on loopnet.com and 207 NE 14th on Zillow.com.

Loopnet has an impressive platform that includes links and attachments.
I'd prefer not to sell 14th street; but Astra bank has us over a barrel. Selling 101 N Cedar is a priority.

This attachment includes the receipt from the County treasurer. This receipt shows that I paid more property tax in one day than my neighbor, Mike Teasley has paid since 2011. The taxpayers are going to end up with 604 S Cedar. We have approval and intend to file a tax protest as we did in 2015; to no avail.

This is also a rollout for my new youtube channel, "badfayth". The screenmemos, however imperfect, illustrate how to use the links on my website, www.ostermann-reno.com.

Our intention is to qualify turning the standard 25 cents on the dollar deductions into 100 percent loss deductions. The documentation supports loss due to incompetence, discrimination, fraud, and corruption.

Thanks Scott O

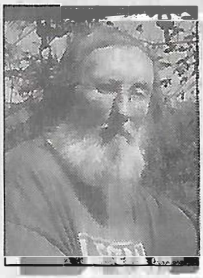
Sent from Mail for Windows 10

Obituary

Michael R. Teasley

Michael R. Teasley, 68, Abilene, passed away at Salina Regional Hospital on Sept. 13, 2020.

He was born Feb. 7, 1952 in Wichita, the son of Tracy and Mary (Nichols) Teasley. He worked construction and drove for Honorbuilt/ El Dorado in his earlier years before he bought South Side Bar in 1993. He owned and operated the bar for 27 years.



Michael R. Teasley

He was a member of the Elks and Eagles clubs.

Michael is survived by his sisters Thereasa Zdenek, Iris McKale, Carolina Yeager, Melody Hargis, Trina Perez and Steffanie Anderson, his companion of many years Vickie Faulkner, beloved cat Tony, son Laron, two stepchildren Mandy Funk and Ben Faulkner, seven grandchildren, two great-grandchildren and seventeen nieces and nephews.

He was preceded in death by his parents, sister Linda Weaver, niece Terry (McKale) Kolde and nephew Tim Weaver.

The family has chosen cremation. Family will have a come and go greeting at the South Side Bar in Abilene from 3 to 6 p.m. on Saturday, Sept. 19, 2020. Inurnment will take place at a later date.

The family suggests memorials be given to St. Jude's Children's Hospital or to the Wounded Warrior Project. Memorials may be dropped off or mailed to Danner Funeral Home, 501 N. Buckeye, Abilene, Kansas 67410. Online condolences may be sent to www.dannerfuneralhome.net.