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BLANKENAU WILMOTH
JARECKE LLP

October 26, 2021

Don Blankenau
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Steve Vinton
P.O. Box 208
Gothenburg, NE 69138

RE: McDermott/NCORPE

Dear Steve:

I was surprised to receive your letter dated October 25, 2021 – surprised because you again asked for our proposal to settle this matter. Let me refresh your memory: just over a year ago on October 23, 2020, **you** proposed a settlement to NCORPE. A copy of your e-mail to me with that proposal is attached. Since that time, I have been trying to finalize the settlement that you proposed to us.

In my efforts, I sent an e-mail to you on October 28, 2020 indicating that NCORPE would accept the first 2 terms of your proposal but wished to discuss the 3rd term. On October 30, 2020 we agreed via phone conference, to a survey of the land and you were going to discuss the 3rd term of the proposal with Mr. McDermott. In an e-mail to you on January 12, 2021, I advised you that the survey team would be on the property on January 18, 2021 and that you should so advise your client. You did not do so – which resulted in an unfortunate confrontation between your client and the survey team.

My next e-mail to you was on July 22, 2021 after the survey had been completed, asking you for a phone conference to finalize your proposal. You did not respond to that e-mail, and I sent another on July 28, 2021. This time you responded, and we agreed to a phone conference on July 30th – and you asked that I provide you with a copy of your proposal to NCORPE. On that phone conference you again agreed to review the 3rd term with your client and get back to me.

I followed up with you on August 16, 2021 with an e-mail asking for an update – to which I did not receive a response. I followed up with additional e-mails on August 26, September 3, September 27, and October 5 all asking you for an update, and all of which were ignored. In addition, I called your office three times to seek an update – also ignored.

Because there appears to be no serious intent to settle this matter, I have recommended to my client that they exercise the power of eminent domain. If you and your client are serious, I suggest that you move quickly to address this matter. I have no desire to waste any more of my time.

Sincerely,


Donald G. Blankenau

DB/as

cc: Kyle Shepherd
Bruce McDermott