



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
FAX (402) 471-3297 OR (402) 471-4725

**DOUGLAS J. PETERSON**  
ATTORNEY GENERAL

**LESLIE S. DONLEY**  
ASSISTANT ATTORNEY GENERAL

February 1, 2022

Via email at [records@americanoversight.org](mailto:records@americanoversight.org)  
Emma Lewis  
American Oversight  
1030 15<sup>th</sup> Street NW, Suite B255  
Washington, DC 20005

RE: *Your Public Records Request*  
Our File No. 22-102

Dear Ms. Lewis:

This letter is in response to your correspondence dated and received by this office on January 26, 2022, in which you requested certain records from the Nebraska Attorney General under the Nebraska Public Records Statutes, Neb. Rev. Stat. §§ 84-712 through 84-712.09 (2014, Supp. 2021). Specifically, you requested the following:

1. Records sufficient to identify the names and job titles of each Office of the Attorney General employee (a) temporarily or permanently assigned to cases concerning mask mandates or (b) temporarily or permanently working in support of those employees assigned to cases concerning mask mandates. [Footnote omitted.]
2. Records sufficient to identify the total number of pending cases concerning mask mandates.
3. Records sufficient to identify the total number of resolved cases (including, but not limited to, cases resulting in a finding of guilt or liability, cases resolved by plea or stipulation, or dismissed cases) concerning mask mandates.
4. Records sufficient to identify all costs and expenses incurred for cases concerning mask mandates, including but not limited to legal billing statements.

Please provide all responsive records for each month from July 2021 through January 2022. (i.e., July 2021, August 2021, September 2021, October 2021, November 2021, December 2021, and January 2022).

You further indicated that in lieu of providing individual employees' names, your organization "would also accept records sufficient to identify the total number of employees assigned to cases concerning mask mandates."

Our responses to each of the items in your request are set out below:

1. The names and titles of the attorneys assigned to the only case involving a mask mandate are listed on page 15 of the Complaint for Declaratory and Injunctive Relief filed in *Nebraska Department of Health and Human Services, et al. v Huse, et al.*, CI22-299 (Douglas County District Court). A copy of the complaint can be accessed through the following link on the Attorney General's website:<sup>1</sup>

<https://ago.nebraska.gov/sites/ago.nebraska.gov/files/doc/2022.01.13%20-%20Complaint%5B66%5D%5B15%5D.pdf>.

2. The complaint identifies the only case pending concerning mask mandates.

3. This office has no responsive records relating to item number 3.

4. The only costs and expenses associated with the case is the filing fee. A record documenting the filing fee is enclosed with this letter.

Sincerely,

DOUGLAS J. PETERSON  
Attorney General

  
Leslie S. Donley  
Assistant Attorney General

Enclosure

49-2864-30

---

<sup>1</sup> Neb. Rev. Stat. § 84-712(3)(a) (2014) does not require a records "custodian to copy any public record that is available to the requester on the custodian's website on the Internet."



Selene Espinoza  
1111 South 41st Street, Ste. 205  
Omaha NE 68105

Defendant ACTIVE

Ben Gray  
1111 South 41st Street, Ste. 205  
Omaha NE 68105

Defendant ACTIVE

Douglas County Health Department  
1111 South 41st Street, Ste. 205  
Omaha NE 68105

Defendant ACTIVE

Jean Stothert  
1819 Farnam Street  
Omaha NE 68183

Defendant ACTIVE

Douglas County  
1819 Farnam Street  
Omaha NE 68183

Defendant ACTIVE

Douglas County Sheriff's Office  
3601 North 156th Street  
Omaha NE 68116

Defendant ACTIVE

Thomas J Wheeler  
3601 North 156th Street  
Omaha NE 68116

Defendant ACTIVE

Omaha Police Department  
505 South 15th Street  
Omaha NE 68102

Defendant ACTIVE

Todd Schmaderer  
505 South 15th Street  
Omaha NE 68102

Defendant ACTIVE

City of Omaha

Intervenor ACTIVE

Aimee Melton

Intervenor ACTIVE

Brinker Harding

Intervenor ACTIVE

Don Rowe

Bernard J in den Bosch  
1819 Farnam Street, Room 804  
Omaha NE 68183  
402-444-5115

Joshua R Woolf  
1819 Farnam Street, Civic Ctr  
Suite 909  
Omaha NE 68183  
402-444-7622

Bernard J in den Bosch  
1819 Farnam Street, Room 804  
Omaha NE 68183  
402-444-5115

Bernard J in den Bosch  
1819 Farnam Street, Room 804  
Omaha NE 68183  
402-444-5115

Bernard J in den Bosch  
1819 Farnam Street, Room 804  
Omaha NE 68183  
402-444-5115

David A Lopez  
13330 California St., Ste 200  
Omaha NE 68154  
402-964-5000

David A Lopez  
13330 California St., Ste 200  
Omaha NE 68154  
402-964-5000

David A Lopez  
13330 California St., Ste 200  
Omaha NE 68154  
402-964-5000

### Court Costs Information

Incurring By	Account	Date	Amount
Plaintiff	Petition	01/12/2022	\$35.00
Plaintiff	Automation Fee	01/12/2022	\$8.00
Plaintiff	NSC Education Fee	01/12/2022	\$1.00
Plaintiff	Dispute Resolution Fee	01/12/2022	\$0.75
Plaintiff	Indigent Defense Fee	01/12/2022	\$3.00
Plaintiff	Uniform Data Analysis Fee	01/12/2022	\$1.00

Incurred By	Account	Date	Amount
Plaintiff	J.R.F.	01/12/2022	\$8.00
Plaintiff	Filing Fee-JRF	01/12/2022	\$7.00
Plaintiff	Legal Aid/Services Fund	01/12/2022	\$6.25
Plaintiff	Comp Rec/Records Management	01/12/2022	\$15.00

### Financial Activity

No trust money is held by the court  
 Fee/Fine held by the court is \$85.00

### Payments Made to the Court

Receipt	Type	Date	For	Amount
419119	Electronic Trans	01/13/2022	Nebraska DHHS	\$85.00
			Petition	\$35.00
			Automation Fee	\$8.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$.75
			Indigent Defense Fee	\$3.00
			Uniform Data Analysis	\$1.00
			J.R.F.	\$8.00
			Filing Fee-JRF	\$7.00
			Legal Aid/Services Fun	\$6.25
			Comp Rec/Records Manag	\$15.00

### Register of Actions

01/26/2022 Amended Complaint  
 This action initiated by party Nebraska DHHS

JB  
 Image ID N22026ZXUD01

01/25/2022 Photocopy Made  
 Image ID D00776611D01

01/25/2022 Photocopy Made  
 Image ID D00776610D01

01/25/2022 Order-Denying Motion DC19:24  
 This action initiated by Shelly R Stratman  
 Re: Mot Temp Inj /mg eNotice Certificate Attached  
 Image ID 002211011D01

01/24/2022 Note from Court Staff  
P/O was sent to the Bailiff JB

01/24/2022 Photocopy Made  
Image ID D00776368D01

01/21/2022 Affidavit  
This action initiated by party Lindsay Huse Dr.  
2nd aff of Robert Slovek /ak/ \*see image for exhibits\*  
Image ID N22021I9HD01

01/21/2022 Brief  
This action initiated by party Lindsay Huse Dr.  
amended /ak/  
Image ID N22021FFYD01

01/21/2022 Brief  
This action initiated by group NDHHS, Anthone & Peterson

amd | reply /ak/  
Image ID N22021EJTD01

01/20/2022 Brief  
This action initiated by group NDHHS, Anthone & Peterson  
reply brief /ak/  
Image ID N22020CUSD01

01/20/2022 Brief  
This action initiated by group Melton, Harding, Rowe  
MG  
Image ID N22020CQKD01

01/20/2022 Notice-Req for Expanded Media Cover  
WOWT / sent to Crt Admin MM eNotice Certificate Attached  
Image ID 002231655D01

01/20/2022 Notice-Req for Expanded Media Cover  
KMTV / Sent to Crt admin MM eNotice Certificate Attached  
Image ID 002231654D01

01/19/2022 Brief  
This action initiated by party Douglas County  
MG  
Image ID N220196ZVD01

01/19/2022 Brief  
This action initiated by party Lindsay Huse Dr.  
in opp /ak/  
Image ID N220196UKD01

01/19/2022 Order-Approve Expanded Media Covera

This action initiated by Shelly R Stratman  
KETV ABC/Hearst /ak/ eNotice Certificate Attached  
Image ID N220196KBD01

01/19/2022 Notice-Req for Expanded Media Cover  
Nebraska Public Media / Sent to Crt Admin MM eNotice Certificate Attac  
hed  
Image ID 002231642D01

01/19/2022 Brief  
This action initiated by group City of Omaha, Stothert,OPD,Schmad  
in opp /ak/  
Image ID N220194WKD01

01/18/2022 Motion Filed  
This action initiated by group NDHHS, Anthone & Peterson

set word limits for briefs /ak/  
Image ID N220180XRD01

01/18/2022 Brief  
This action initiated by group Melton, Harding, Rowe  
in supp /ak/  
Image ID N220180RDD01

01/18/2022 Motion-Temp Order  
This action initiated by group Melton, Harding, Rowe  
temp injunction | hrg info on image /ak/  
Image ID N220180PYD01

01/18/2022 Brief  
This action initiated by group NDHHS, Anthone & Peterson  
in supp /ak/  
  
Image ID N220180LED01

01/18/2022 Notice-Req for Expanded Media Cover  
Omaha World Herald / Sent to Crt Admin MM eNotice Certificate Attached  
Image ID 002231640D01

01/18/2022 Entry of Appearance  
This action initiated by party Lindsay Huse Dr.  
Slovek, Fox, & Fosbender /ak/  
Image ID N22018XQUD01

01/14/2022 Complaint-Intervene  
This action initiated by party Aimee Melton  
MG  
Image ID N22014R42D01

01/14/2022 Entry of Appearance  
This action initiated by group NDHHS, Anthone & Peterson  
Re: Bernard J In Den Bosch /mg  
Image ID N22014QRWD01

01/14/2022 Entry of Appearance  
This action initiated by party Douglas County  
Re: Joshua Woolf /mg  
Image ID N22014QDSD01

01/14/2022 Entry of Appearance  
This action initiated by party Douglas County  
Re: Theresia Urich /mg  
Image ID N22014Q5QD01

01/14/2022 Notice-Req for Expanded Media Cover  
  
KPTM / sent to Crt Admin MM eNotice Certificate Attached  
Image ID 002231622D01

01/13/2022 Notice-Req for Expanded Media Cover  
KETV / sent to Crt Admin MM eNotice Certificate Attached  
Image ID 002231620D01

01/13/2022 Motion-Temp Order  
This action initiated by group NDHHS, Anthonie & Peterson  
hrg info on image /ak/  
Image ID N22013K55D01

01/13/2022 Notice-Req for Expanded Media Cover  
KETV / sent to Crt Admin MM eNotice Certificate Attached  
Image ID 002231616D01

01/13/2022 Summons Issued on Todd Schmaderer  
The document number is 00774542  
Summons e-mailed  
Image ID D00774542D01

01/13/2022 Summons Issued on Omaha Police Department  
The document number is 00774541  
Summons e-mailed  
Image ID D00774541D01

01/13/2022 Summons Issued on Thomas J Wheeler  
The document number is 00774540  
Summons e-mailed  
Image ID D00774540D01

01/13/2022 Summons Issued on Douglas County Sheriff's Office  
  
The document number is 00774539  
Summons e-mailed  
Image ID D00774539D01

01/13/2022 Summons Issued on Douglas County  
The document number is 00774538  
Summons e-mailed  
Image ID D00774538D01

01/13/2022 Summons Issued on Jean Stothert  
The document number is 00774537  
Summons e-mailed  
Image ID D00774537D01

01/13/2022 Summons Issued on Douglas County Health Department  
The document number is 00774536  
  
Summons e-mailed  
Image ID D00774536D01

01/13/2022 Summons Issued on Ben Gray  
The document number is 00774535  
Summons e-mailed  
Image ID D00774535D01

01/13/2022 Summons Issued on Selene Espinoza  
The document number is 00774534  
Summons e-mailed  
Image ID D00774534D01

01/13/2022 Summons Issued on Marlene Wilken  
The document number is 00774533  
Summons e-mailed  
  
Image ID D00774533D01

01/13/2022 Summons Issued on Stuart J McNally  
The document number is 00774532

Summons e-mailed  
Image ID D00774532D01

01/13/2022 Summons Issued on Keyonna King  
The document number is 00774531  
Summons e-mailed  
Image ID D00774531D01

01/13/2022 Summons Issued on Andrea Jones  
The document number is 00774530  
Summons e-mailed  
Image ID D00774530D01

01/13/2022 Summons Issued on Jeanee Weiss  
The document number is 00774529  
Summons e-mailed  
Image ID D00774529D01

01/13/2022 Summons Issued on John Wade  
The document number is 00774528  
Summons e-mailed  
Image ID D00774528D01

01/13/2022 Summons Issued on Chris Rodgers  
The document number is 00774527  
Summons e-mailed  
Image ID D00774527D01

01/13/2022 Summons Issued on Douglas County Board of Health  
The document number is 00774526  
Summons e-mailed  
Image ID D00774526D01

01/13/2022 Summons Issued on Lindsay Huse  
The document number is 00774525  
Summons e-mailed  
Image ID D00774525D01

01/12/2022 Praecipe-Summons/Alias  
This action initiated by group NDHHS, Anthone & Peterson  
MM  
Image ID N22012G96D01

01/12/2022 Complaint-Praecipe

This action initiated by group NDHHS, Anthone & Peterson  
Praecipe filed separate MM  
Image ID N22012G8RD01

## Judges Notes

01/19/2022  
Stratman, Shelly, R  
Signed order approving request for expanded news media coverage.  
01/24/2022  
01-24-2022 Stratman  
Hearing held on the record on plaintiff's motion for temporary  
injunction. Evidence adduced. Matter taken under advisement.  
01/25/2022  
01-25-2022 Stratman  
Signed order on plaintiffs' and plaintiff-intervenors' motions for  
temporary injunction. Nothing further under advisement.

