

IN THE COUNTY COURT OF _____ COUNTY, NEBRASKA

_____)	
)	Case No. CI _____
Plaintiff,)	
v.)	MOTION TO VACATE DEFAULT
)	JUDGMENT
)	
_____)	
)	
Defendant(s))	

COMES NOW the Defendant and respectfully asks the Court to vacate the Order of Default Judgment entered in favor of Plaintiff. In furtherance of said request, movant would show the Court the following:

1. The defendant's address is: _____
_____.
2. The defendant has lived at this address since: _____.
3. The previous address of the defendant was: _____
_____.
4. The defendant lived at the previous address from _____ to _____.
5. The Summons was returned without service and filed with the County Court. The return of service filed by the process server stated, "Attempted to serve at given address, unable to verify address as subject's, unable to contact subject at this time."
6. Defendant did nothing to evade service; Defendant would show this Court that he/she is employed and he/she has no knowledge as to why Plaintiff was unable to serve him in the normal course of business.

7. The Plaintiff never attempted to serve me with a copy of the Summons at my place of work. The Plaintiff repeatedly called my work to collect the debt and knew where I am employed.
8. The Plaintiff severed the Summons on my previous address. For this reason, I did not receive a copy of the Complaint and was unable to file a written response to the lawsuit.
9. _____.

DEFENDANT HAS VALID DEFENSES TO PLAINTIFF'S CAUSES OF ACTION

10. Defendant believes that the cause of action brought by Plaintiff against him is barred by the Statute of Limitations.
11. Defendant disputes the amount and interest alleged in the Complaint.
12. Defendant wishes to defend himself/herself against the allegations made by the Plaintiff in the County Court.
13. Defendant generally denies the allegations in the Plaintiff's complaint.
14. _____.

WHEREFORE, your movant respectfully asks this Court to vacate the Order of Default Judgment entered against him/her and for such other and further relief as may be just and proper.

Defendant

Date: _____

Address: _____.

Phone Number: _____.