

# **Exhibit 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

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STATE OF NEBRASKA,

Plaintiff,

Case No. 8:16-cv-351

v.

**NOTICE OF 30(B)(6) DEPOSITION  
OF THE STATE OF NEBRASKA**

STABL, INC., LANT, INC., LEON  
JOHNSON; and ANN JOHNSON,

Defendants.

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TO: Plaintiff State of Nebraska, through its attorneys.

PLEASE TAKE NOTICE that on **March 14, 2018** at 9:00 a.m., counsel for Defendants Stabl, Inc. (“Stabl”), Lant, Inc. (“Lant”), Leon Johnson, and Ann Johnson (collectively, “Defendants”) will take the deposition testimony of the State of Nebraska (the “State”), pursuant to Federal Rule of Civil Procedure 30(b)(6) at the law offices of Baird Holm LLP, 1700 Farnam Street, Suite 1500, Omaha, NE 68102. The deposition will be taken by stenographic means and may also be recorded by video. The taking of said deposition may be adjourned from time to time until completed. Pursuant to Federal Rule of Civil Procedure 30(b)(6), the State shall designate one or more officers, directors, managing agents or other persons to testify on its behalf regarding the following matters:

1. The factual basis for each of the State’s causes of action and allegations set forth in the complaint; specifically the issues regarding "piercing the corporate veil” of Nebraska By-Products; and specific acts of fraud allegedly

committed by Lant, Inc., Leon Johnson, Ann Johnson, and Stabl, Inc., as alleged in the State's Complaint.

2. When, how, and under what circumstances the State and/or any of the attorneys representing the State learned of any actions by each of the Defendants which spurred the filing of the initial complaint in this matter, including, but not limited to, knowledge regarding (a) the purchase by Darling International, Inc. of assets owned by Stabl and Lant, Inc. and others, (b) the dissolution of Nebraska By-Products, Stabl, Inc., and Lant, Inc., (c) the transfer of any funds to any or all of the Defendants relating to the sale of such assets, and (d) issues regarding the statute of limitations for any or all of the causes of action set forth in the Complaint or Amended Complaint in this matter.

3. When, how, and under what circumstances the Nebraska Department of Environmental Quality ("NDEQ") and/or any of the attorneys representing it or the State learned of any actions by each of the Defendants which spurred the filing of the initial Complaint in this matter, including, but not limited to, knowledge regarding (a) the purchase by Darling International, Inc. of assets owned by Stabl and Lant, Inc. and others, (b) the transfer of any funds to any or all of the Defendants relating to the sale of such assets, (c) issues regarding the statute of limitations for any or all of the causes of action set forth in the Complaint or Amended Complaint in this matter, and (d) the dissolution of Nebraska By-Products, Stabl, Inc., and Lant, Inc.

4. Communications between the State (including its attorneys in the

Nebraska Attorney General's office) with the NDEQ, and/or with anyone else (specifically including representatives, employees or agents of the United States, the United States Environmental Protection Agency, and/or their attorneys or attorneys for the United States Attorney's office) regarding (A) the running or expiration of statute of limitations for any causes of action involved in this case; and (B) execution on and collection of the January 2014 judgment(s) obtained by the State of Nebraska and/or the United States of America against Stabl, Inc.

5. The decision (A) to file the Complaint in this matter, when to file that Complaint, and (B) when to undertake any efforts to collect on the judgment in the underlying lawsuit entered in January of 2014.

6. The identities of all individuals employed by the State who were involved in decisions to file the Complaint in this matter, including when to file such lawsuit.

7. Communications, meetings, documents, and decisions with regard to filing of the Complaint in this matter, and the timing thereof, and any concern(s) regarding problems with the running or expiration of any statutes of limitations.

8. Efforts undertaken to collect on the judgment obtained in the underlying lawsuit (entered in January 2014).

9. Any documents (electronic or otherwise), video, audio files, photographs, and other media relating to this lawsuit.

10. Policies, written, oral or procedural, regarding adherence to applicable

statutes of limitations when enforcing judgments in favor of the State of Nebraska.

Dated this 12th day of February, 2018.

STABL, INC., LANT, INC., LEON JOHNSON;  
and ANN JOHNSON, Defendants.

By: /s/Krista M. Eckhoff  
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*Their Attorneys*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 2018, I mailed the foregoing to counsel via electronic mail as follows:

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