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U.S. COURT OF FEDERAL CLAIMS

In The United States Court of Federal Claims

Cover Sheet

106-658

Plaintiff(s) or Petitioner(s)

Timothy Esch, Paul Esch, David Esch, Regina Worthington, Raymond Esch, Judith Esch Brown,
Donald Esch and L J Farms, a partnership.

If this is a multi-plaintiff case, pursuant to RCFC 20(a), please attach an alphabetized, numbered list of all plaintiffs.

Name of the attorney of record (See RCFC 83.1(c)): Kent Engdahl

Firm Name: Ballew, Schneider, Covalt, Gaines & Engdahl

Post Office Box: N/A

Street Address: 1625 Farnam St #300

City-State-Zip: Omaha NE 68102

Telephone & Facsimile Numbers: 402 934 9499 fax 402 934 7730

Is the attorney of record admitted to the Court of Federal Claims Bar? ☒ Yes ☐ NoDoes the attorney of record have a Court of Federal Claims ECF account? ☐ Yes ☒ No

If not admitted to the court or enrolled in the court's ECF system, please call (202) 357-6406 for admission papers and/or enrollment instructions.

Nature of Suit Code:

118

Select only one (three digit) nature-of-suit code from the attached sheet. If 213, identify partnership or partnership group. If numbers 118, 134, 226, 312, 356, or 528 are used, please explain.

Agency Identification Code:

A G R

See attached sheet for three-digit codes.

Amount Claimed:

\$6,114,543.30

Use estimate if specific amount is not pleaded.

Disclosure Statement:

Is a RCFC 7.1 Disclosure Statement required? ☐ Yes ☒ No

If yes, please note that two copies are necessary.

Bid Protest:

Indicate approximate dollar amount of procurement at issue: \$ _____

Is plaintiff a small business? ☐ Yes ☐ No

Vaccine Case:

Date of Vaccination: _____

Related Cases:

Is this case directly related to any pending or previous case? ☒ Yes ☐ No

If yes, you are required to file a separate notice of directly related case(s). See RCFC 40.2.

Alphabetical Listing of Plaintiffs [Rule 20(a)]

1. Brown, Judith Esch
2. Esch David
3. Esch, Donald
4. Esch, Paul
5. Esch, Raymond
6. Esch, Timothy
7. L J Farms
8. Worthington, Regina

STATEMENT OF PRIOR RELATED CASE

A previous case was prematurely brought in the Court of Claims by these Plaintiffs.

Patrick Esch, Dennis Esch, Timothy Esch, Paul Esch, David Esch, Regina Worthington, Raymond Esch, Judy Esch Brown, Donald Esch and L J Farms Partnership v. The United States of America and Dan Glickman, Sec. Dept. of Agriculture, Case # 00-529C.

The matter was dismissed for failure to state a claim. There was then pending an appeal of administrative offsets which are the basis of claim of breach. The Court determined it did not maintain jurisdiction due to pendency of the Appeal and that no claim was subject to assertion. The case has been finally adjudicated. Administrative offset was determined allowed. Breach of the subject settlement agreement was not adjudicated as a part of the proceedings.