

\_\_\_\_\_, Case No. \_\_\_\_\_  
Plaintiff,

vs.

\_\_\_\_\_,  
Defendant. **COUNTERCLAIM OR  
SETOFF OF DEFENDANT  
(Small Claims Court)**

I am the defendant in this action. I state and claim as my counterclaim or setoff the following sum: \$ \_\_\_\_\_ and costs of the action, or return of property valued at \$ \_\_\_\_\_ and costs of this action, because:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Street Address/P.O. Box: \_\_\_\_\_

City/State/ZIP Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

\*Email address: \_\_\_\_\_

If completed by an attorney: Bar Number: _____
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Continued on next page.

\*[Nebraska Supreme Court Rule § 2-208](#) requires individuals who are not attorneys and representing themselves to provide their email address. The court will use the email address to send notices from the court about this case **except** for items that require another type of service as directed by statute or Nebraska Supreme Court Rule.

If you no longer have email capability or if your email or other contact information changes, you must complete a [Change of Contact Information Form](#).

By checking this box, I am letting the court know that I do not have the ability to receive emails. The reason I cannot receive email is: \_\_\_\_\_

\_\_\_\_\_

### ORDER FOR TRANSFER TO CIVIL DOCKET

This case is transferred to the civil docket because the counterclaim or setoff exceeds the jurisdiction of Small Claims Court, as case # \_\_\_\_\_. Pretrial hearing in this matter is hereby set for \_\_\_\_\_, at \_\_\_\_\_ .M.

Date: \_\_\_\_\_ BY THE COURT: \_\_\_\_\_

Judge/Clerk Magistrate

(Seal)

### AFFIDAVIT OF SERVICE

I certify that I have delivered a copy of this counterclaim or setoff to the plaintiff by either personal service sheriff constable mailing a copy to the plaintiff by first class mail: (State full name and address to whom mailed)

\_\_\_\_\_  
\_\_\_\_\_

Date and time of trial: \_\_\_\_\_

Date copy delivered to plaintiff: \_\_\_\_\_

Date: \_\_\_\_\_

Defendant's signature: \_\_\_\_\_

Note: A copy of the Counterclaim or Setoff of the defendant must be delivered to the plaintiff and the original filed with the court at least two days prior to the time set for hearing.

**RETURN**

Received this Writ \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ .M.  
I Hereby Certify that on \_\_\_\_\_, I served the within  
Counterclaim/Setoff on \_\_\_\_\_  
by \_\_\_\_\_

\_\_\_\_\_ a true and certified copy thereof with all the endorsements thereon, in the county aforesaid.

\_\_\_\_\_  
SHERIFF

Service and return	\$	_____
Copy	\$	_____
Mileage _____ miles	\$	_____
_____	\$	_____
TOTAL	\$	_____