

To: Clerk of the County Court of Saunders County, Nebraska
Re: LVNV Funding LLC v. DANIEL GARD, Case No. CI 25 123
From: Daniel-Wayne; of the Gard Family, Executor and Trustee

Dear Clerk and Honorable Judge,

Enclosed for the Court's consideration are the following documents submitted by the undersigned, a living man and Executor of the DANIEL WAYNE GARD ESTATE, and Trustee of the Irrevocable GARD FAMILY TRUST:

- Disclaimer of Interest
- Affidavit of Status
- Certificate of Trust (Redacted)

These documents serve as lawful notice that I am not the proper party to this action. I request the Court dismiss this matter for lack of proper party and standing. A copy is being served upon the attorney of record for the Plaintiff.

Respectfully,

Daniel-Wayne; of the Gard Family
Daniel-Wayne; of the Gard Family
Executor, Trustee, Living Man
Without Prejudice UCC 1-308

SENT 25th OF APRIL, 2025

DISCLAIMER OF INTEREST

IN THE COUNTY COURT OF SAUNDERS COUNTY, NEBRASKA

Case ID: CI 25 123

LVNV FUNDING LLC, Plaintiff vs. DANIEL GARD, Defendant

DISCLAIMER OF INTEREST AND NOTICE OF STATUS

I, Daniel-Wayne; of the Gard Family, a living man, Trustee of the Irrevocable GARD FAMILY TRUST, and Executor for the DANIEL WAYNE GARD ESTATE, hereby make the following declaration and disclaimer for the record:

1. I am not the corporate fiction or legal entity known as "DANIEL GARD," which appears to be a derivative or misrepresentation of the decedent estate and/or corporate construct.
2. I do not consent to being surety or liable for any alleged debts, claims, or obligations brought forth under this caption.
3. I act solely in my private capacity and appear in honor to provide this notice and disclaimer to all parties concerned.
4. I formally disclaim any interest, liability, obligation, or association with the corporate entity "DANIEL GARD" as presented by the Plaintiff.
5. Any claim or presumption attaching liability to the living man is hereby rebutted and denied.
6. The Irrevocable GARD FAMILY TRUST and DANIEL WAYNE GARD ESTATE are private entities with no commercial contract or agreement with the Plaintiff.
7. Notice to the agent is notice to the principal.

Respectfully submitted with full reservation of rights, without prejudice under UCC 1-308.

Executed this 25 day of April, 2025.

By: 1 Daniel-Wayne; of the Gard Family
Daniel-Wayne; of the Gard Family
Trustee, Irrevocable GARD FAMILY TRUST
Executor, DANIEL WAYNE GARD ESTATE
c/o 1542 Silver ST NUM 12
Non-Domestic, without the U.S.
Near 68003
Saunders County, Nebraska

Trust Seal Affixed Below:



ACKNOWLEDGMENT

State of Nebraska
County of Saunders

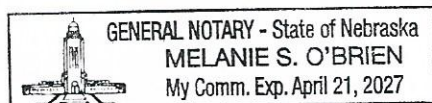
On this ²⁰25 day of April, 2025, before me, the undersigned notary public, personally appeared Daniel-Wayne; of the Gard Family, known to me (or satisfactorily proven) to be the living man who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein stated.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public Melanie S. O'Brien

My commission expires: 4-21-2027

[Notary Seal]



AFFIDAVIT OF STATUS

IN THE COUNTY COURT OF SAUNDERS COUNTY, NEBRASKA

Case ID: CI 25 123

LVNV FUNDING LLC, Plaintiff vs. DANIEL GARD, Defendant

Affidavit of Status

I, Daniel-Wayne; of the Gard Family, being of sound mind, competent, and over the age of 21, hereby swear and affirm under penalty of perjury the following is true, correct, and complete to the best of my knowledge, belief, and understanding:

1. I am a living man, born of natural parents in Buffalo County, Nebraska, and not a corporate fiction, legal entity, or transmitting utility.
2. I am not the corporate person, trust, estate, or franchise identified as "DANIEL GARD," which appears to be a derivative of the all-capital-letter name found on government-issued identification.
3. I am the Executor of the DANIEL WAYNE GARD ESTATE, EIN: 99-6169102.
4. I am the Trustee of the Irrevocable GARD FAMILY TRUST, a private irrevocable trust operating under common law and without public office or commercial liability.
5. I do not consent to represent, stand in for, or assume responsibility for the corporate fiction known as "DANIEL GARD."
6. This affidavit serves as notice to all involved parties that any presumption of my liability in this matter is void and without merit.
7. I operate in the private and reserve all unalienable rights afforded to me under natural and divine law, as well as any protections provided under UCC 1-308, reserving all rights without prejudice.

Executed and affirmed this 25 day of April, 2025.

Affirmed by: / Daniel-Wayne; of the Gard Family
Daniel-Wayne; of the Gard Family
Trustee, Irrevocable GARD FAMILY TRUST
Executor, DANIEL WAYNE GARD ESTATE
c/o 1542 Silver St. NUM 12
Saunders County, Nebraska [68003]

Trust Seal Affixed Below:



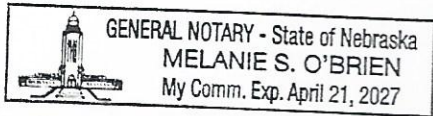
Jurat:

State of Nebraska
County of Saunders

Subscribed and sworn to (or affirmed) before me on this ^{4*}25 day of April, 2025 by Daniel-Wayne; of the Gard Family.

(Signature of Notary) Melanie S. O'Brien
Notary Public
[Seal]

My Commission Expires: 4-21-2027



Certificate of Trust for:

GARD FAMILY TRUST©

WHICH IS AN IRREVOCABLE TRUST

Land of North America

Republic of Nebraska

County of Saunders County

To all whom these presents shall come, Greetings: This Certificate of Trust hereby certifies the existence of a Declaration of Trust under Agreement, titled:

"The **GARD FAMILY TRUST©**", the trust created on **April 18th, 2025**, which serves as legal notice of the existence of the following Declaration of Trust under Agreement, executed by and among **Daniel-Wayne of the Gard Family**, as Grantor, Executive Trustee of the **GARD FAMILY TRUST** and Executor of the **DANIEL WAYNE GARD ESTATE**.

Grantor:

Daniel-Wayne; of the Gard Family (Grantor, Executive Trustee of the **GARD FAMILY TRUST** and Executor of the **DANIEL WAYNE GARD ESTATE**)

Trustee / Fiduciary:

Daniel-Wayne of the Gard Family

Successor Trustee:

Sara-Ann; Bair

EIN Number:

33-7003141

1. Trust Identification

The undersigned hereby certifies that the trust titled "**THE GARD FAMILY TRUST ©**" was duly created on **April 18th, 2025**, by **Daniel-Wayne; of the Gard Family**, who is the Grantor and Trustee.

This trust is an **Irrevocable Trust** and, in accordance with the terms of the Trust Agreement, **cannot be amended, modified, or revoked by the Grantor** once established, except as specifically provided within the Trust Instrument.

2. Powers of the Trustee(s)

The Trustee(s) are hereby granted the following powers in accordance with the Trust Agreement:

(a) Powers of Acquisition and Disposition:

To acquire by purchase, gift, bequest, or otherwise, any property, whether real, personal, or mixed. The Trustee(s) have full authority to possess, sell, convey, mortgage, lease, exchange, or otherwise deal with property on behalf of the Trust and its beneficiaries.

(b) Powers of Management and Investment:

To manage, invest, and reinvest Trust assets, including but not limited to financial assets, real estate, and business interests, as the Trustee(s) deem necessary or beneficial for the Trust and its beneficiaries.

(c) General Business and Financial Powers:

The Trustee(s) are authorized to engage in any lawful business or financial activities, including but not limited to operating commercial, mercantile, banking, and industrial enterprises, managing charitable, educational, and humanitarian endeavors, and all other lawful acts necessary to carry out the purpose of the Trust.

3. Powers of Revocation and Amendment

The **Grantor** retains the exclusive right to revoke, alter, or amend this Trust at any time during their lifetime. Any revocation or amendment must be executed in writing and delivered to the Trustee.

- If the **Grantor** is incapacitated, a duly appointed attorney-in-fact may exercise the power of revocation, but not the power of amendment, with the Trustee's consent.

4. Successor Trustee

In the event that **Daniel-Wayne; of the Gard Family**, as Grantor or Trustee, becomes incapacitated, unable to serve, or is deceased, all decision-making authority shall immediately vest in the **Successor Trustee, Sara-Ann; Bair/Nissen**, without the requirement for bond.

5. Fee Schedule

The Grantor and Trustee have agreed to a fee schedule for the management and administration of Trust assets. The fee schedule, as set forth in **Schedule A**, governs the compensation for services provided by the Trustee(s) and any third-party fiduciaries. This fee schedule is integral to this Certificate of Trust and the Trust Agreement.

6. Purpose of the Trust

The Trust is established for the benefit of the Grantor and the beneficiaries listed below, and to engage in any lawful activity allowed under the common law of the United States, or the laws of any state, commonwealth, territory, or foreign country. Specifically, the Trustee(s) are authorized to engage in any lawful commercial, financial, industrial, real estate, or charitable activities.

7. Beneficiaries of the Trust

The following individuals are named as **private beneficiaries** of the Irrevocable GARD FAMILY TRUST. Their full details are held confidentially by the trustee and are available upon lawful demand or court order:

- Sara-A**; B*** (formerly N*****)**
- Cassidy-B****; G***
- Tryston-X*****; G***
- Sygha-A**-M****; B***
- Myca-G*****-E****; D*****
- Leger-D*****-R**; B***
- Taylor-A***; G***
- Ryker-W****; G***
- Mia-K**; A*****

Note: All beneficiaries are living souls, not corporate entities, and are acknowledged as private individuals under the protection of this trust.

8. Trust Property

The following assets, rights, titles, and interests are considered **Trust Property** under the terms of this Trust Agreement, and may include, but are not limited to:

- **Names and Identifiers:** Including any variations, aliases, and legal identifiers.
- **Social Security Numbers, Birth Certificates, Driver's Licenses, and Other Government-Issued Identifiers**
- **Liabilities and Debts:** Including bills, debts, contracts, and financial obligations in the name of the Trust or its beneficiaries.
- **Bills and Financial Obligations:** Including but not limited to utility bills, credit card bills, medical bills, phone bills, city bills, garbage bills, insurance premiums, mortgages, student loans, taxes, and any other financial obligations or debts.

9. Bond Requirement

No bond shall be required for the Trustee(s) in the administration of this Trust.

10. Reliance by Third Parties

Any person or party transacting with the Trustee(s) in good faith may rely upon this Certificate of Trust as evidence of the existence of the Trust and the authority of the Trustee(s) to act on behalf of the Trust. Third parties are relieved from any obligation to inquire further into the terms of the Trust Agreement or the authority of the Trustee(s).

11. Legal Notice

This Certificate of Trust serves as legal notice of the existence of the Trust, and shall remain in full force and effect until the Trust is terminated according to the terms set forth in the Trust Agreement.

CERTIFICATE OF MAILING

I, Daniel-Wayne; of the Gard Family, hereby certify that on this 25th day of April, 2025, I caused a true and correct copy of the following documents:


- Disclaimer of Interest
- Affidavit of Status
- Certificate of Trust (Redacted)

to be mailed via United States Postal Service, First Class Mail, postage prepaid, to:

Attorney for Plaintiff:

Jillian N. Walker
Messerli / Kramer P.A.
3033 Campus Drive
Suite 250
Plymouth, Minnesota 55441-2662

Executed on this 25th day of April, 2025.


Daniel-Wayne; of the Gard Family
Executor and Trustee
Without Prejudice UCC 1-308

JOURNAL ENTRY AND ORDER(S)

IN THE COUNTY COURT OF SAUNDERS COUNTY, NEBRASKA

LVNV Funding LLC v. Daniel Gard

Printed on 5/05/2025 at 9:04

Room 06C01

Case ID: CI 25 123

Page 1

Decision Date 5/05/2025

A P P E A R A N C E S

Judge	Andrew R Lange	Appeared
Defendant	Daniel Gard	Did NOT Appear
Plaintiff	LVNV Funding LLC	
Counsel	Jeremy R Shirk	Appeared

D I S M I S S A L

The above captioned matter is hereby dismissed with prejudice.

Plaintiff to bear costs.

IT IS SO ORDERED.

Hon.

Andrew R Lange
Andrew R Lange



5/05/2025

Date

F. Polacek

Bailiff

Tape Nos. CD

Daniel Gard
609 Dennis Dean Rd
Ashland, NE 68003

FILED BY
Clerk of the Saunders County Court
05/05/2025