

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

**STEVEN J. DONAHUE,**

Plaintiff,

v.

**CPT BURT APARTMENTS 23 LLC,**

Defendant.

Case No. **CI 26-7666****PLAINTIFF'S PHOTOGRAPHIC EXHIBITS**

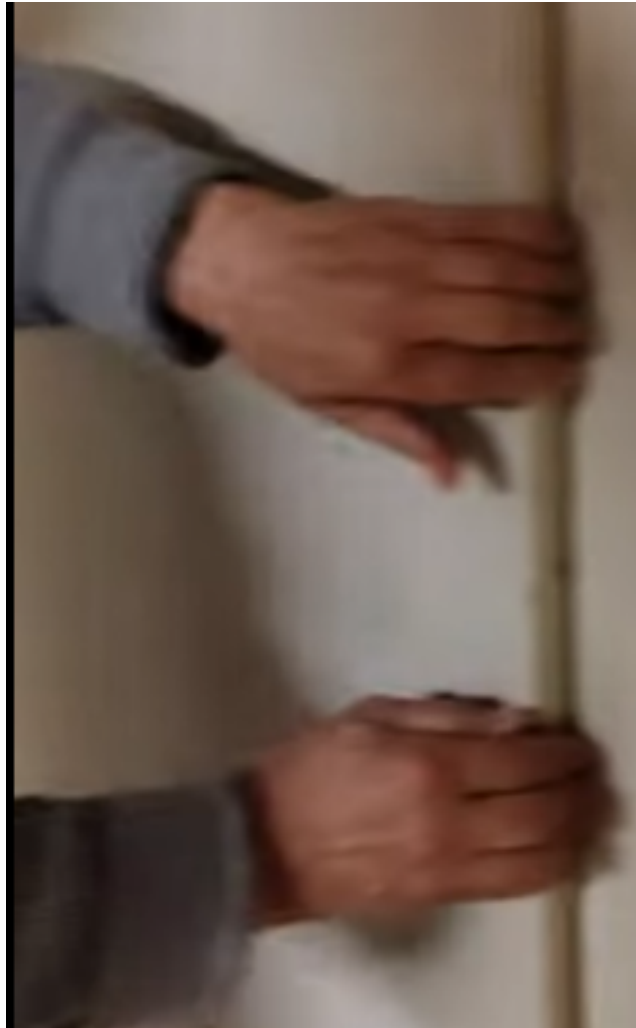
*Each still is a fair and accurate depiction of the condition shown. The September 14, 2026 video is a separate media exhibit. Attached is a CMS notice and Cohen-Esrey brochure as document exhibits A and B.*

**Index**

| <b>Ex.</b> | <b>File</b>     | <b>Shows</b>                                               |
|------------|-----------------|------------------------------------------------------------|
| A          | CMS notice      | HUD CA inquiry NE260037002; owner response due Sept. 18    |
| B          | brochure.pdf    | Cohen-Esrey flyer: community room, kitchen, activities     |
| C          | doorpry.png     | Door opened with hands; no lever or knob                   |
| D          | brokelock.png   | Broken / exposed lock hardware on door edge                |
| E          | cardentry.png   | Card/fob at wall reader; red indicator                     |
| F          | cmsnotice.png   | CMS contact sheet posted on wall                           |
| G          | empty01.png     | Community room: open floor, one folding table, kitchenette |
| H          | empty02.png     | Same room from opposite side; no resident chair seating    |
| I          | empty03.png     | Pool table, piano, ceiling camera; no organized seating    |
| J          | poolbroke.png   | Pool-table pocket torn and taped                           |
| K          | fitroomsign.png | "FITNESS ROOM" sign still on the door                      |
| L          | exer02.png      | Fitness room: two chairs, cardboard on floor, no gym set   |
| M          | exroom01.png    | Fitness room: wood chair and remnant equipment             |
| N          | nostove.jpg     | Kitchen cavity: no range, no power cord, debris            |

## Exhibit C

### Community-room door opened without hardware



**Figure 1:** Hands on the door slab. No lever, knob, or pull is installed on the edge shown. The door is opened by gripping the slab. Anyone who can reach the door can enter. This is not keyed resident access and is not a secured tornado-shelter door.

**Date of image:** September 14, 2026 (video still unless noted)  
**Location:** Central Park Tower, 1511 Farnam St., Omaha, NE 68102  
**Photographer** / Resident Council inspection video / still  
**source:**  
**Case use:** Temporary order — functioning community room

**Exhibit D****Broken lock hardware**

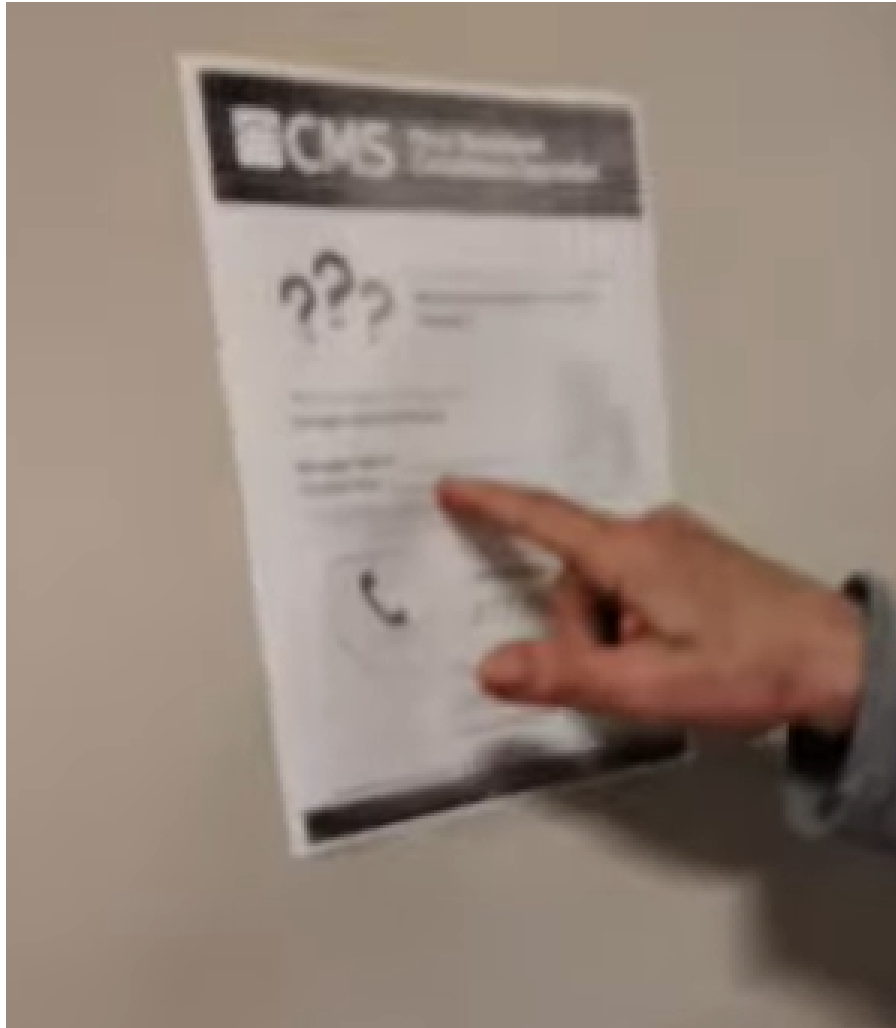
**Figure 2:** Close-up of the lock edge. Internal hardware is exposed. The latch/bolt assembly is not a complete, working commercial lockset. The door cannot be secured with a key or hasp in the condition shown.

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**Exhibit E****Access reader — red indicator**

**Figure 3:** Wall-mounted card or fob reader with a red lamp. A credential is held up to the device. The red light is consistent with denied or inactive access, not a working resident key system for the room.

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**Exhibit F****CMS notice posted on the wall**

**Figure 4:** A CMS (HUD contract administrator) contact sheet is taped to the wall. A resident points to the posted number. Posting a complaint flyer is not a substitute for recognizing the Resident Council or opening a functioning meeting room / shelter.

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## Exhibit G

### Community room — empty floor



**Figure 5:** Lower-level community room looking toward the kitchenette and wood doors. The floor is clear. One folding table stands against the wall. No rows of chairs, no gym equipment, and no Gardyn units are present. Exit sign visible at rear.

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**Exhibit H****Community room — no seating**

**Figure 6:** Same room from the opposite direction. One folding table. No resident chair setup for a meeting. Ceiling tiles and fixtures in place. The space is not set up as a usable community room.

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**Exhibit I****Community room — leftover table and piano**

**Figure 7:** Pool table and piano remain. A ceiling camera is visible. There is no organized seating for residents. Billboard and stand are unused. The advertised “community room with full kitchen and billiards” is not furnished for meetings or activities.

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**Exhibit J****Billiards table — damaged pocket**

**Figure 8:** Corner pocket of the pool table. The pocket leather/cloth is torn. Clear tape has been applied over the break. The table is not in serviceable condition as an amenity. No balls or pool sticks.

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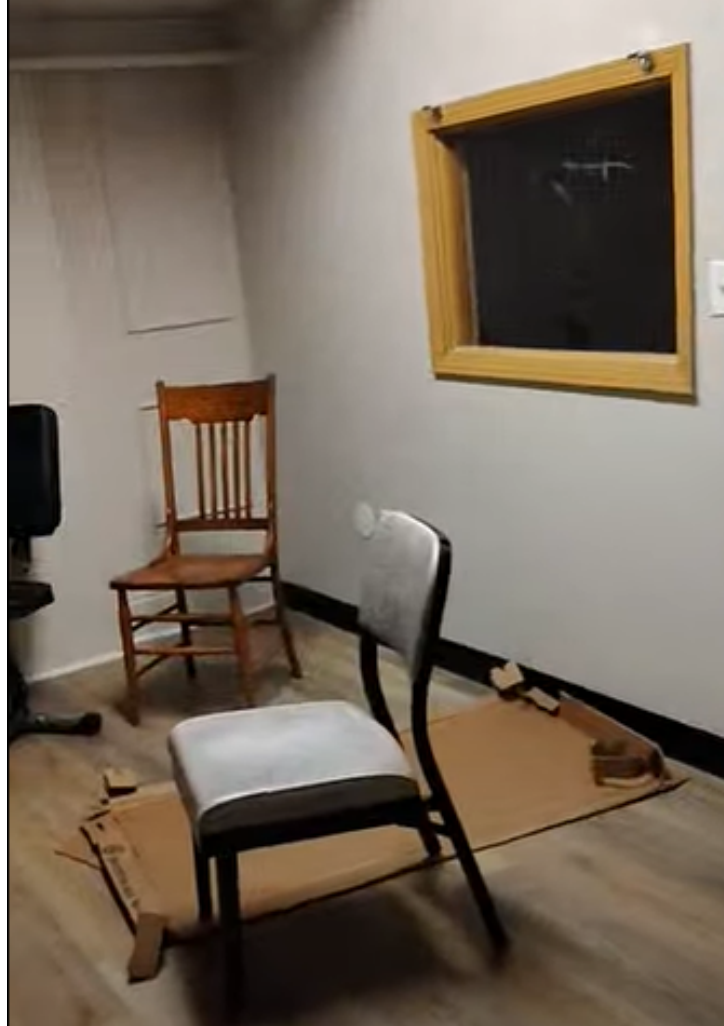
## Exhibit K

### Fitness Room sign



**Figure 9:** Door sign reading “FITNESS ROOM.” The sign is still posted. The following exhibits show the room behind that sign.

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**Exhibit L****Fitness room — no gym equipment**

**Figure 10:** Interior labeled as the fitness room. Two chairs sit on cardboard. A dark covered opening is on the wall. No treadmill, weights, or other gym set is installed. Cardboard on the floor is not exercise equipment. Cigarette butts on floor.

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## Exhibit M

### Fitness room — remnant pieces



**Figure 11:** Wood dining-style chair and a partial exercise-chair / bike frame. Floor is otherwise clear. This is not a functioning fitness room.

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**Exhibit N****Kitchen cavity — no range, no cord**

**Figure 12:** Kitchen opening with debris on the floor. No range or cooktop is installed. No power cord is present to plug in. This photograph answers the claim that a stove was merely “unplugged.”

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