

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

GWLADYS K. NARE, MANFRED L.S.	)	
NARE, and M.N. (a minor child)	)	
	)	Civil Action No. 8:25-cv-00048-JFB-RCC
Plaintiffs,	)	
	)	
v.	)	
	)	
OMAHA DISCOVERY TRUST d/b/a	)	
KIEWIT LUMINARIUM, a Nebraska	)	
Corporation,	)	
	)	
Defendant.	)	
	)	

**DEFENDANT OMAHA DISCOVERY TRUST’S  
MOTION TO DISMISS**

Defendant Omaha Discovery Trust d/b/a Kiewit Luminarium (“Defendant” or “Kiewit Luminarium”), pursuant to Federal Rules of Procedure 12(b)(6), submits its Motion to Dismiss all claims raised by Plaintiffs. For the reasons set forth more fully in Defendant’s Brief in Support of Motion to Dismiss filed contemporaneously herewith, Plaintiffs fail to state a cause of action under which relief can be granted. The defects in Plaintiffs’ claims cannot be cured with an amendment. As such, Defendant requests the Court dismiss Plaintiffs’ claims with prejudice and without leave to amend.

Dated: March 6, 2025

Respectfully submitted,

/s/ Catherine A. Cano  
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*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which sent notification of such filing to all counsel of record.

/s/ Catherine A. Cano  
Catherine A. Cano