

IOWA DISTRICT COURT FOR LINN COUNTY

FILED
CLERK OF DISTRICT COURT

2026 APR 28 PM 4:24

Case No. ESPR046981
LINN COUNTY, IOWA

In the Matter of the Estate of Orville M. Ellingson, deceased.

David Ellingson and Dean Ellingson,
Plaintiffs-Contestants,

vs.

Dale Ellingson individually and as executor
of the Estate of Orville M. Ellingson, and
Diana Niemeier-Ellingson,

Defendants-Proponents,

VERDICT NO. 1

1. QUESTION: Did Orville Ellingson lack the mental ability to make the May 22, 2023 Will?

Answer "yes" or "no."

ANSWER: yes

Go on to Question No. 2.

2. QUESTION: Was Orville Ellingson's May 22, 2023 Will the result of undue influence by Dale Ellingson and/or Diana Niemeier-Ellingson?

Answer "yes" or "no."

ANSWER: yes

If you answered "no" to Questions 1 and 2, stop and sign the Verdict Form and contact the Court Attendant.

If you answered "yes" to Question 1, 2, or both, proceed to Verdict No. 2

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IOWA DISTRICT COURT FOR LINN COUNTY, IOWA

In the Matter of the Estate of Orville M.
Ellingson, deceased.

Case No. ESPR046961

David Ellingson and Dean Ellingson,

Plaintiffs-Contestants,

VERDICT NO. 2

vs.

Dale Ellingson individually and as executor
of the Estate of Orville M. Ellingson, and
Diana Niemeier-Ellingson,

Defendants-Proponents,

VERDICT NO. 2

3. QUESTION: Did Dale Ellingson or Diana Niemeier-Ellingson, or both,
intentionally interfere with the Plaintiffs' expected inheritance?

Answer "yes" or "no."

ANSWER: Yes

If you answered "no" to Question 3, stop and sign the Verdict Form and contact the Court
Attendant.

If you answered "yes" to Question 3, proceed to Questions 4 and 5.

4. QUESTION: Did the Defendants act in concert with each other in intentionally
interfering with the Plaintiffs' expected inheritance?

Answer "yes" or "no."

ANSWER: Yes

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-If you answered "yes" to Question 3, and "no" to Question 4, go to Question 5 and 6.
If you answered "yes" to both Questions 3 and 4, go straight to Question 7.

5. QUESTION: Did Diana Niemeier-Ellingson, intentionally interfere with the Plaintiffs' expected inheritance?

Answer "yes" or "no."

ANSWER:. _____

6. QUESTION: Did Dale Ellingson, intentionally interfere with the Plaintiffs' expected inheritance?

Answer "yes" or "no."

ANSWER:. _____

7. QUESTION: What are the damages Plaintiffs suffered as a result of Defendant(s)' intentional interference with their expected inheritance?

ANSWER:

Value of Howard County Farm

\$ 1,445,000

If you answered Question 7, go on to the Special Interrogatories.