

mine, this is Senator Haberman's bill that I'm explaining for him, he is not here. As a matter of fact, if he was here, you could try your hand at trying to understand what the issue was. Maybe I've erred by making it a little too clear here, but with respect to the issue at hand... (Laughter.)

SENATOR ASHFORD: Well, I expect there is an issue here...

PRESIDENT: Half a minute.

SENATOR LANDIS: Right. With the question of whether or not service has been performed, two things I think occur. Number one, in quasi contract the lawyer would be able to recover for a service. Second, under the theory of quantum meruit, if you perform a service, you receive...and those...

SENATOR ASHFORD: Yeah.

SENATOR LANDIS: ...underlying theories remain unchanged.

SENATOR ASHFORD: Yeah.

SENATOR LANDIS: This is to effectuate a transfer when there is a stubborn trustee that won't permit themselves to be substituted out by the lender.

SENATOR ASHFORD: As there may, in fact, have been at one time or another in the history of...

PRESIDENT: Time has expired.

SENATOR LANDIS: I think that's why the bankers are here.

PRESIDENT: May I introduce a special guest of Senator Smith. Over under the north balcony we have a previous Lieutenant Governor, Lieutenant Governor Gerry Whalen of Hastings, Nebraska. It's good to see you again, Gerry. Thank you for visiting us. Senator Landis, did you wish to close on the committee amendments.

SENATOR LANDIS: I will close on the committee amendments which are technical in nature and then I will move on to the bill. Let me just summarize on the bill itself by saying this does not prohibit recovery for services rendered. What is does do is to allow the lender to substitute the trustee of their choice