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And § 48-120(8) mentions third parties only insofar as it gives the compensation court the power to order a third party to be reimbursed if it pays a provider or supplier. Pearson expresses concern that a third party might pay an amount higher than the fee schedule initially and, if reimbursed only according to the fee schedule, might not be reimbursed for the full amount paid. We find this possibility mitigated by the prohibition in § 48-120(1)(e) against providers or suppliers charging more than the fee schedule allows.

Because we conclude that § 48-120(1)(e) and (8) can be read consistently, we conclude that the trial court did not err in applying the fee schedule to any reimbursement to a third party. We therefore find Pearson's second assignment of error to be without merit.

CONCLUSION

The decision of the review panel is affirmed in part, and in part reversed and remanded for further proceedings.

AFFIRMED IN PART, AND IN PART REVERSED AND REMANDED FOR FURTHER PROCEEDINGS.

STATE OF NEBRASKA EX REL. COUNSEL FOR DISCIPLINE OF THE NEBRASKA SUPREME COURT, RELATOR, V. ROBERT J. REMACK, RESPONDENT.

802 N.W.2d 887

Filed September 23, 2011. No. S-11-551.

Original action. Judgment of disbarment.

HEAVICAN, C.J., WRIGHT, CONNOLLY, GERRARD, STEPHAN, MCCORMACK, and MILLER-LERMAN, JJ.

PER CURIAM.

INTRODUCTION

This case is before the court on the voluntary surrender of license filed by respondent, Robert J. Remack, on July 1, 2011. The court accepts respondent's surrender of his license and enters an order of disbarment.

STATEMENT OF FACTS

Respondent was admitted to the practice of law in the State of Nebraska on September 20, 2001. On June 21, 2011, respondent self-reported to relator, the Counsel for Discipline of the Nebraska Supreme Court, that he had misappropriated client funds for his own use. On July 1, respondent filed a voluntary surrender of license in which he admitted that he self-reported to the Counsel for Discipline that he had misappropriated client funds for his own use and in which he stated that he freely and voluntarily consented to the entry of an order of disbarment and freely and voluntarily waived his right to notice, appearance, or hearing prior to the entry of such an order.

ANALYSIS

Neb. Ct. R. § 3-315 of the disciplinary rules provides in pertinent part:

> (A) Once a Grievance, a Complaint, or a Formal Charge has been filed, suggested, or indicated against a member, the member may voluntarily surrender his or her license.
>
> (1) The voluntary surrender of license shall state in writing that the member knowingly admits or knowingly does not challenge or contest the truth of the suggested or indicated Grievance, Complaint, or Formal Charge and waives all proceedings against him or her in connection therewith.

Pursuant to § 3-315 of the disciplinary rules, we find that respondent has voluntarily surrendered his license to practice law. Respondent has self-reported the act of misappropriating client funds, and therefore, he knowingly does not contest the truth of such an allegation. Further, respondent has waived all proceedings against him in connection with the entry of an order of disbarment based on the admitted act. We further find that respondent has consented to the entry of an order of disbarment.

CONCLUSION

Upon due consideration of the court file in this matter, the court finds respondent has stated that he freely, knowingly, and voluntarily admits he misappropriated client funds for his own

use and that he freely and voluntarily consents to the entry of an order of disbarment and freely and voluntarily waives his right to proceedings prior to entry of an order. The court accepts respondent's voluntary surrender of his license to practice law, finds that respondent should be disbarred, and hereby orders him disbarred from the practice of law in the State of Nebraska, effective immediately. Respondent shall forthwith comply with all terms of Neb. Ct. R. § 3-316 of the disciplinary rules, and upon failure to do so, he shall be subject to punishment for contempt of this court. Accordingly, respondent is directed to pay costs and expenses in accordance with Neb. Rev. Stat. §§ 7-114 and 7-115 (Reissue 2007) and Neb. Ct. R. §§ 3-310(P) and 3-323 of the disciplinary rules within 60 days after an order imposing costs and expenses, if any, is entered by the court.

JUDGMENT OF DISBARMENT.