

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

F. MIKE LYBRAND

PLAINTIFF

VS.

NO. 5:10CV00045

UNION PACIFIC RAILROAD COMPANY

DEFENDANT

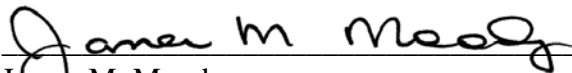
ORDER

Pending is Plaintiff's emergency motion for relief pursuant to Fed. R. Civ. P. 56(d). (Docket # 23). Defendant has responded. For good cause shown, the motion is GRANTED.

This case will be removed from the trial docket the week of June 6, 2011. The Court will enter an amended scheduling order resetting this matter for trial. The Court will allow the parties additional time in which to identify witnesses including expert witnesses and to conduct discovery. Plaintiff's response to the pending motion for summary judgment, docket # 14, will be due ten (10) days following the completion of the above discovery. The Court will set the additional discovery deadline in the amended scheduling order.

Defendant's motion to strike Plaintiff's improperly disclosed witness, docket # 17, and motion to limit the testimony of Dr. Kenneth Martin, docket # 19, are moot in light of the above ruling.

IT IS SO ORDERED this 28th day of March, 2011.



James M. Moody
United States District Judge