

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

<p>BRIAN TRUE,</p>	<p>)</p>	
	<p>)</p>	
<p>Plaintiff,</p>	<p>)</p>	<p>4:07CV3280</p>
	<p>)</p>	
<p>vs.</p>	<p>)</p>	<p>ORDER</p>
	<p>)</p>	
<p>STATE OF NEBRASKA, et al.,</p>	<p>)</p>	
	<p>)</p>	
<p>Defendants.</p>	<p>)</p>	

This matter is before the court after a telephone conference with counsel for the parties. The parties discussed scheduling of this case and the need for dispositive motions prior to additional scheduling or discovery. Accordingly,

IT IS ORDERED:

1. The defendants’ Motion to Strike Plaintiff’s Amended Complaint ([Filing No. 33](#)) is denied.
2. The defendants shall have to **on or before September 26, 2008**, to file a motion for summary judgment related to the plaintiff’s Amended Complaint ([Filing No. 30](#)).
3. The plaintiff shall have to **on or before October 31, 2008**, to file a response to the defendants’ motion. Standard reply time shall apply.
4. All proceedings are stayed pending resolution of any motion for summary judgment.
5. The parties shall have **ten (10) business days** from the date an order is filed on the motion for summary judgment, in which to reschedule a planning conference with the court, if necessary. Counsel for the plaintiff shall contact the court within such time period to schedule the planning conference.

DATED this 12th day of September, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge