

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STELLA M. OJEDA,)
)
 Plaintiff,)
)
 v.)
)
 SCOTTSBLUFF, CITY OF, a)
 political subdivision of the State of)
 Nebraska, ALEX MORENO, Chief,)
 sued in their individual and)
 professional capacities, PHIL)
 ECKERBERG, Sgt., sued in their)
 individual and professional)
 capacities, SHAWN MCFARLAND,)
 Sgt., sued in their individual and)
 professional capacities, PHIL)
 MARTINDALE, Sgt., sued in their)
 individual and official capacities, and)
 KEVIN SPENCER, Capt., sued in)
 their individual and official)
 capacities,)
)
 Defendants.)

4:08CV3067

MEMORANDUM AND ORDER

On June 9, 2009, the court granted summary judgment in favor of defendants Alex Moreno, Phil Eckerberg, Shawn McFarland, Phil Martindale and Kevin Spencer, in their individual capacities, finding these defendants were entitled to qualified immunity with respect to plaintiff’s § 1983 First Amendment and Fourteenth Amendment claims. The court further dismissed plaintiff’s § 1983 due process and § 1985 conspiracy claims against the individual defendants in accordance with plaintiff’s request. Filing No. 60. Discovery was stayed while the summary judgment motion was pending. Filing No. 51.

A final progression order should now be entered. Accordingly,

IT IS ORDERED:

- 1) On or before July 23, 2009, the parties shall jointly file a motion setting forth their proposed deadlines for continued progression of this case to trial, including deadlines for disclosing experts and their reports, and for completion of discovery, along with a statement of when the case will be ready for trial.
- 2) The planning conference scheduled before Magistrate Judge Piester on October 2, 2009 is cancelled.

DATED this 2nd day of July, 2009.

BY THE COURT:

s/Richard G. Kopf

United States District Judge