

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLENE K. WISBEY,)	
)	
Plaintiff,)	4:08CV3093
)	
v.)	
)	
CITY OF LINCOLN, Nebraska,)	MEMORANDUM AND ORDER
)	
Defendant.)	
)	

The Report of Parties' Planning Conference filed on June 26, 2008 stated the parties consented to final resolution of this case by the undersigned magistrate judge. Filing No. [6](#). The report further stated the parties would file the necessary consent form. Filing No. [6](#), at CM/ECF p. 6.

As of October 6, 2008, no consent form was filed. However, during the planning conference held that date, the parties again stated they would consent to trial before the undersigned magistrate judge. In reliance upon this verbal consent, the trial was set for trial before me on April 6, 2009, with the pretrial conference scheduled for March 19, 2009.

The parties have not filed the written consent to trial before the magistrate judge. The case therefore remains pending before the assigned district court judge, but it is not on his trial calendar.

IT THEREFORE HEREBY IS ORDERED:

1. On or before March 23, 2009, the parties shall either file a joint written consent to trial before the undersigned or a statement advising the court that the case should remain pending before the assigned district court judge.

2. The pretrial conference and trial of this case are continued until further order.

DATED this 16th day of March, 2009.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge