

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARCIA K. HAJEK, Individually and)
as Personal Representative of the Estate)
of Alan E. Hajek, Deceased,)

Plaintiff,)

v.)

KUMHO TIRE CO., Inc., a foreign)
corporation, and KUMHO TIRE U.S.A.,)
Inc., a California corporation,)

Defendants.)

4:08CV3157

MEMORANDUM AND ORDER

The parties' oral motion for referral to mediation, and for a stay of these proceedings pending mediation, (filing no. 197), is granted , and

- 1) This case is stayed until April 11, 2011 to permit the parties to mediate this case. The plaintiff shall contact the undersigned magistrate judge with the name of the mediator promptly after that selection is made.
- 2) During the period of the stay, compliance with deadlines established by the progression order, responses to discovery, and other proceedings shall not be required.
- 3) Pursuant to General Order No. 2005-21, all pending dispositive or nondispositive motions are denied without prejudice to refileing.
- 4) Within five days following the completion of the parties' settlement meeting, plaintiff's counsel shall report to the Clerk of the Court, by letter, whether the case has been settled. Failure to so notify the court of the completion of the settlement meeting, with or without settlement, may result in the dismissal of this case without further notice pursuant to F.R.Civ.P. 41(b). Information about the substance of the parties' settlement agreement, if any, shall not be provided without their consent.
- 5) The Clerk shall bring this file to the attention of the undersigned on April 15, 2011 or when notified that the mediation has been completed, whichever first occurs.

January 26, 2011.

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge