

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

J. CHRISTOPHER THOMAS, )  
Individually and as Trustee of )  
U/A/W J. Christopher, Settlor, )  
 )  
Plaintiff, )

4:09CV3143

V. )

MEMORANDUM AND ORDER

VISTA A&S 2006-1 LLC, a )  
Nebraska limited liability company, )  
VISTA OIL & GAS, INC., a )  
Colorado corporation, and the initial )  
member of Vista A&S 2006-1 LLC, )  
DAVID M. NICKLAS, for purposes )  
of R.R.S. Neb., Chap. 8, Art. 11, 8- )  
1118(3), a person directly or )  
indirectly in control of Vista A&S )  
2006-1 LLC, and CLARK R. )  
NICKLAS, for purposes of R.R.S. )  
Neb., Chap. 8, Art. 11 8-1118(3), a )  
person directly or indirectly in )  
control of Vista A&S 2006-1 LLC, )  
 )  
Defendants. )

IT IS ORDERED that the parties' joint motion and stipulation, (filing no. [12](#)), is granted, and

- 1) The defendants' response to plaintiff's complaint shall be filed on or before October 2, 2009;
- 2) The defendants have accepted service and shall not move to dismiss or otherwise object on the grounds of inadequacy or insufficiency of service; and

- 3) Any response by the plaintiff to defendants' responsive pleadings shall be filed on or before thirty days after service of defendants' responsive pleadings.

DATED this 16<sup>th</sup> day of September, 2009.

BY THE COURT:

*Richard G. Kopf*

United States District Judge