

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CARROLL T. WHITE, as Personal )  
 Representative of the Estate of Joseph )  
 White, deceased, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 RICHARD T. SMITH, in his official )  
 capacity, et. al., )  
 )  
 Defendants. )

4:09CV3145

MEMORANDUM AND ORDER

IT IS ORDERED:

- 1) The defendants' unopposed motion to stay, (filing no. 144), is granted.
- 2) The progression of this case is stayed pending a ruling on defendants' anticipated motion to reconsider and/or for interlocutory review by the Court of Appeals for the Eighth Circuit.

DATED this 19th day of August, 2011.

BY THE COURT:

s/ Cheryl R. Zwart  
 United States Magistrate Judge