

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEAN CARBAJAL, and LUIS)
LEAL,)
)
Plaintiffs,)

4:10CV3200

v.)

**MEMORANDUM
AND ORDER**

MARIA GUZMAN, ROBERT)
BRENNER, RICHARD KLEAGER,)
UNKNOWN NOTARY, STATE OF)
NEBRASKA, UNKOWN STATE)
ENITY EMPLOYER OF MARIA)
GUZMAN, and HOLYOKE,)
HOFMEISTER, SNYDER &)
CHALOUPKA, P.C., L.L.C.,)
)
Defendants.)

This matter is before the court on Plaintiffs’ Motion for Extension of Time and Request for Leave to Amend Complaint. (Filing No. [34](#).) Defendants have filed Briefs opposing Plaintiffs’ Motion (filing nos. [41](#), [46](#), and [54](#)).

Defendants have filed several Motions to Dismiss and Motions to Remand in this matter. (See Filing Nos. [12](#), [13](#), [15](#), [25](#), [27](#), and [29](#).) Notwithstanding Defendants’ reasons for opposing Plaintiffs’ request for an extension of time to respond to these motions, and in order to expedite the timely and fair resolution of this matter, Plaintiffs will be given until February 28, 2011, to respond to Defendants’ Motions to Dismiss and Motions to Remand. However, if no response is filed by February 28, 2011, the court will rule on Defendants’ Motions to Dismiss and Motions to Remand without further notice. To the extent Plaintiffs seek leave to amend their Complaint, their Motion is denied without prejudice to reassertion

pending the court's determination regarding the jurisdictional issues set forth by Defendants in their Motions to Dismiss and Motions to Remand.

IT IS THEREFORE ORDERED that:

1. Plaintiffs' Motion for Extension of Time and Request for Leave to Amend Complaint (filing no. [34](#)) is granted with respect to Plaintiff's request for additional time to respond to Defendants' Motions. Plaintiffs shall have until February 28, 2011, to respond to Defendants' Motions to Dismiss and Motions to Remand.

2. Plaintiffs' request for leave to file an amended complaint is denied without prejudice to reassertion pending the court's determination regarding the jurisdictional issues in this case.

3. The Clerk of the court is directed to set a pro se case management deadline in this matter with the following text: February 28, 2011: deadline for Plaintiffs to respond to Defendants' Motions.

DATED this 8th day of February, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge