

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER M. PAYNE,)	4:11CV3017
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
FRED BRITTEN, et al.,)	
)	
Defendants.)	

I am considering whether to appoint counsel. I am also considering whether to issue a progression order. It would be helpful if I had advice from counsel for the remaining defendants. Therefore,

IT IS ORDERED that on or before the close of business on Friday, October 24, 2014, counsel for the defendants shall advise the undersigned as to the questions set forth in the following paragraphs:

- (1) Will the defendants voluntarily produce to the plaintiff and file in the court file the several pieces of Payne's mail, both incoming and outgoing, that have been held "pending criminal investigation" since October 13, 2010?
- (2) Do the defendants intend to file a motion for summary judgment?

Dated October 10, 2014.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge