

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT R. BENNIEJR., BOB BENNIE  
WEALTH MANAGEMENT, INC.,

Plaintiffs,

vs.

JOHN MUNN, in his official and individual  
capacity; JACK E. HERSTEIN, in his official  
and individual capacity; RODNEY R.  
GRIESS, in his official and individual  
capacity; and JACKIE L. WALTER, in her  
official and individual capacity;

Defendants.

**4:11CV3089**

**MEMORANDUM AND ORDER**

After conferring with the parties, and with their approval, the court's mediation reference order, (Filing No. 98), is amended as follows:

1) Paragraph 3 is amended as follows:

All parties may attend all mediation sessions scheduled by the mediator. But every party must have someone in attendance at the mediation who has full authority to negotiate and settle this case on that party's behalf. Provided no conflict of interest between represented parties is anticipated, those attending the mediation with settlement authority may represent more than one party. The person or persons who attend the mediation are ordered to prepare for and participate in the mediation in accordance with the Plan and in objective good faith.

2) As to paragraph 4(c):

The parties' mediation statements may exceed 4 pages. The parties are encouraged to contact the selected mediator for further guidance on any limitations to the mediation statement.

3) The clerk shall provide a copy of this order to the selected mediator, Con Keating.

November 13, 2012.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge