

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MISSIONARY BENEDICTINE SISTERS,  
INC.,

Plaintiff,

v.

HOFFMAN, LLC,

Defendant and  
Third-Party Plaintiff,

v.

LONNIE ROBINSON d/b/a R&R  
Mechanical Insulation,

Third-Party Defendants.

VOLKMAN PLUMBING & HEATING,  
INC.,

Third-Party Plaintiff,

v.

LONNIE ROBINSON d/b/a R&R  
MECHANICAL INSULATION,

Third-Party Defendant.

**4:11CV3180**

**ORDER**

This case is scheduled for trial before Judge Richard G. Kopf commencing on July 27, 2015. One impediment to settlement is the unresolved issue of whether Third Party Defendant Lonnie Robinson d/b/a R&R Mechanical Insulation has insurance coverage for the claims alleged by Third Party Plaintiffs Hoffman, LLC, Volkman Plumbing & Heating, Inc., and AMCO Insurance Company.<sup>1</sup> The insurance coverage issue is not pending before this court.

---

<sup>1</sup> All other claims were previously settled.

During a conference call held today with counsel for the Third Party Defendant and the Third Party Plaintiffs, counsel stated their clients, along with the potential insurer, have agreed to submit all or at least a portion of their claims to binding arbitration. The precise scope and details of the arbitration agreement have not been committed to writing. But the court is convinced that the parties' intent to pursue arbitration of the insurance coverage issue along with the above-captioned case will either result in a final determination through the arbitration itself, or will so limit the issues in dispute that the parties can then fully resolve this case without a trial.

Accordingly,

IT IS ORDERED:

- 1) The trial and pretrial conference are cancelled.
- 2) On or before August 25, 2015, the parties shall file a status report which advises the court on the parties' progress in finalizing an arbitration agreement and whether, in light of that finalized agreement, this case should be dismissed or stayed.
- 3) The clerk shall mail and email a courtesy copy of this order to counsel Thomas J. Culhane, Erickson, Sederstrom Law Firm—Omaha, 10330 Regency Parkway Drive, Suite 100 Omaha, NE 68114, [culhane@eslaw.com](mailto:culhane@eslaw.com).

July 21, 2015.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge