

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KIRK J. LUDLOW,	)	
	)	
Plaintiff,	)	4:12CV3113
	)	
V.	)	
	)	
BNSF RAILWAY COMPANY, a	)	ORDER
Delaware corporation,	)	
	)	
Defendant.	)	
_____	)	

Today, the jury returned a verdict in favor of the plaintiff on one claim. The jury found for the defendant on the other claim. The question of attorney fees and nontaxable costs must now be addressed. The lawyers have agreed that judgment should be withheld until that issue is resolved. Therefore,

IT IS ORDERED that:

1. The Clerk shall withhold judgment.
2. On or before Friday, December 13, 2013, the plaintiff shall file an application, supporting brief and index of evidence if the plaintiff seeks attorney fees and nontaxable costs.
3. On or before Monday, January 13, 2014, the defendant may reply to the application, brief and index of evidence submitted by the plaintiff seeking attorney fees and nontaxable costs.
4. Counsel are advised to consult and follow NECivR 54.3 and 54.4.

DATED this 14<sup>th</sup> day of November, 2013.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge