

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PROGRESSIVE UNIVERSAL)
INSURANCE COMPANY,)

Plaintiff,)

v.)

L. P., a minor, ARMANDO)
PORTILLO, individually, NORMA)
PORTILLO, individually, VALLEY)
AMBULANCE SERVICES, INC.,)
REGIONAL WEST MEDICAL)
CENTER, REGIONAL WEST)
PHYSICIANS CLINIC, NEBRASKA)
DEPARTMENT OF HEALTH AND)
HUMAN SERVICES, MED-TRANS)
CORPORATION, UNIVERSITY)
PHYSICIANS INC., CHILDREN’S)
HOSPITAL COLORADO, and)
KIMBALL COUNTY HOSPITAL,)

Defendants.)

4:13CV3032

ORDER

On March 18, 2013, Plaintiff Progressive Universal Insurance Co. (“Progressive”) moved this Court to reconsider the appointment of Bradley Boyum as L.P.’s guardian ad litem. ([Filing 25.](#)) That same day, this Court entered an order directing Progressive to deposit with the Clerk of Court the \$25,000 of insurance proceeds relating to the automobile insurance policy referenced in the Complaint for Interpleader. ([Filing 24.](#)) The order stated that Progressive would be dismissed from the action once it filed a notice with the Court indicating that the funds had been deposited. ([Id.](#))

On April 30, 2013, this Court issued an order approving Progressive’s Application for Attorneys’ Fees and Costs. ([Filing 30.](#)) The order noted that although Progressive had deposited \$25,000 with the Court as previously ordered, it had not filed a formal notice indicating that it had deposited the funds and requesting that it be dismissed from the action.

(*Id.*) The Court further noted that the instant motion was pending before the Court. (*Id.*) Therefore, at this time, the Court has not formally dismissed Progressive from the suit. However, given the imminent dismissal of Progressive from this action, Progressive's motion to reconsider will now be denied as moot.

IT IS ORDERED:

1. Plaintiff's Motion to Reconsider Appointment of Bradley A. Boyum and to Appoint Rhonda R. Flower as Guardian Ad Litem ([filing 25](#)) is denied as moot.
2. Mr. Boyum's obligation to provide a status report in response to Progressive's motion to reconsider is deemed satisfied.
3. The Clerk of Court is directed to terminate the status report and case management deadlines related to the motion to reconsider ([filing 25](#)).

DATED May 3, 2013.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**