

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HERBERT G. MENDEL,

Plaintiff,

vs.

EXPRESS SCRIPTS, INC.,

Defendant.

**4:15CV3080**

**ORDER**

On August 7, 2015, Plaintiff's counsel filed a Suggestion of Death informing the court and Defendant that Plaintiff Herbert G. Mendel died on July 30, 2015, (Filing No. 10).

Accordingly,

IT IS ORDERED, pursuant to Fed. R. Civ. P. 25, Plaintiff's successor or representative shall file a motion for substitution by November 5, 2015. If a motion for substitution is not filed by that date, Plaintiff's claims may be dismissed for want of prosecution.

Dated this 10th day of August, 2015

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge