

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RILEY NICOLE SHADLE,

Plaintiff,

vs.

DR. RANDY KOHL, Medical services
director;

Defendant.

4:15CV3132

ORDER

This matter is before the court on plaintiff's pro se Motion to Reconsider and Withdrawal of Agreement, [Filing No. 41](#). The court granted the parties' stipulation to dismiss the case without prejudice on August 29, 2016, [Filing No. 40](#). The stipulation stated "that pursuant to an agreed treatment plan, Plaintiff's claims against Defendant shall be dismissed without prejudice". [Filing No. 39](#).

The plaintiff states in his motion that the agreement was entered without his authorization, that he did not sign off on any arrangement, and that the attorneys entered in to the agreement on their own volition, and requests that the court completely void the agreement and continue with further discovery on the original complaint. [Filing No. 41](#). The court notes that a copy of the agreement is not in the court records and therefore the court cannot make a ruling at this time. The court will direct the attorneys to file a response. Plaintiff also states that he no longer wants to be represented by attorney Jeanelle Lust. The court will rule on that motion following the response from counsel. Accordingly,

IT IS ORDERED THAT:

1. The court notes that defendant Dr. Randy Kohl has already filed a brief in opposition to plaintiff's pro se motion, [Filing No. 42](#). The court will permit counsel for the plaintiff to file a response to plaintiff's pro se Motion to Reconsider and Withdrawal of Agreement, [Filing No. 41](#), within 10 days of the date of this order.

2. The Clerk's Office shall mail a copy of this order to plaintiff at the address listed in [Filing No. 41](#).

Dated this 18th day of October, 2016

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge