

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**HANNAH SABATA, et al.,**

**Plaintiffs,**

**v.**

**NEBRASKA DEPARTMENT OF  
CORRECTIONAL SERVICES, et al.,**

**Defendants.**

**4:17CV3107**

**ORDER**

This matter is before the Court on the parties' Joint Stipulated Motion to Amend Order Setting Final Schedule for Progression ([Filing No. 211](#)). The Parties seek a continuance of the deadlines for the motion for class certification and related briefing schedule as set forth in the Court's prior Order ([Filing No. 95](#)). The Court finds good cause exists for the requested extension. Accordingly,

**IT IS ORDERED** that the parties' Joint Stipulated Motion to Amend Order Setting Final Schedule for Progression ([Filing No. 211](#)) is granted, and the provisions of the Court's previous orders remain in effect, and in addition to those provisions, the following date changes shall apply:

**1. Motions for Class Certification.**

- a. Any motion to certify this case as a class action shall be filed by **February 19, 2019**, in the absence of which any claim in the pleadings that this is a class action shall be deemed abandoned, and the case shall proceed, for purposes of [Fed. R. Civ. P. 23](#), as if a motion for class certification had been filed and denied by the Court.
- b. Defendants shall file their response to Plaintiffs' class certification motion by **April 26, 2019**.
- c. Plaintiffs may file a reply by **May 24, 2019**.

Dated this 29<sup>th</sup> day of November, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge