

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JESSICA OLSEN and TERI R.  
SMITH, on behalf of themselves and  
the Class Members described herein,

Plaintiffs,

vs.

NELNET, INC., a Nebraska  
Corporation, et al.,

Defendants.

4:18-CV-3081

ORDER


It appears from the plaintiff's motion for leave to file a second amended complaint ([filing 99](#)) and the defendants' motion to dismiss ([filing 105](#)) that the parties are in agreement on one thing: that plaintiff Teri R. Smith's claims should be dismissed without prejudice. Accordingly,

IT IS ORDERED:

1. Smith's claims are dismissed without prejudice, and Smith is terminated as a party.
2. The plaintiffs' motion for leave to amend ([filing 99](#)) and the defendants' motion to dismiss ([filing 105](#)) remain pending as to plaintiff Jessica Olsen.
3. The motion to withdraw of Smith's counsel ([filing 109](#)) is denied as moot.

Dated this 27th day of March, 2020.

BY THE COURT:

  
\_\_\_\_\_  
John M. Gerrard  
Chief United States District Judge