

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

GERARD J. KEATING, JANET A. )  
KEATING, FRANK R. KREJCI, )  
JANE KREJCI, TIMOTHY PETERSON,) )  
LINDA PETERSON, DARYL )  
BUTTERFIELD and MAKALA )  
BUTTERFIELD, individually and )  
on behalf of all persons )  
similarly situated, )  
 )  
Plaintiffs, )

7:07CV5011

v. )

NEBRASKA PUBLIC POWER )  
DISTRICT, NEBRASKA DEPARTMENT )  
OF NATURAL RESOURCES, DENNIS )  
L. RASMUSSEN, MARY A. HARDING,) )  
RONALD W. LARSEN, LARRY A. )  
LINSTROM, DARRELL J. NELSON, )  
EDWARD J. SCHROCK, KEN L. )  
SCHMIEDING, GARY G. THOMPSON, )  
LARRY G. KUNCL, VIRGIL L. )  
FROEHLICH, WAYNE E. BOYD and )  
ANN SALOMAN BLEED, in their )  
official capacities, and DOES )  
1-100, )  
 )  
Defendants. )  
\_\_\_\_\_ )

ORDER

This matter is before the Court after mandate of the United States Court of Appeals for the Eighth Circuit (Filing No. 126) remanding this matter for further proceedings. Accordingly,

IT IS ORDERED that a scheduling conference with the parties is set for:

**Wednesday, November 4, 2009, at 10 am.**

in the chambers of the undersigned, Suite 3190, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

The parties shall be prepared to discuss the procedures to be followed in complying with the directives of the United States Court of Appeals, what motions should be filed, and the briefing schedule that should be implemented. The parties may participate by telephone by contacting Judge Strom's office prior to the conference: (402) 661-7320.

DATED this 21st day of October, 2009.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court