

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES H. OPPLIGER and)	
GAYLE OPPLIGER,)	
)	
Plaintiffs,)	8:06CV750
)	
vs.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
and)	
)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:08CV530
)	
vs.)	ORDER
)	
JAMES H. OPPLIGER and)	
GAYLE OPPLIGER,)	
)	
Defendants.)	

This matter is before the court on the James H. Oppliger and Gayle Oppliger’s Motion for Protective Order ([Filing No. 55](#) in case No. 8:06CV750; [Filing No. 32](#) in case No. 8:08CV530). The court held two telephone conferences with counsel for the parties on November 3, 2009, regarding the subject matter of the motion. Originally, the court provided an oral ruling of which the movants now seek reconsideration in their motion. The court grants the motion to the extent the oral ruling is now under reconsideration. Accordingly,

IT IS ORDERED:

1. The movants shall have to **on or before November 10, 2009**, to file the correspondence for which they seek application of the attorney-client privilege, under seal, and a brief in support of their motion.

2. The respondents shall have to **on or before November 18, 2009**, to file a response to the motion.

3. The deponent, Richard Behrns, need not respond to any questions posed regarding the subject correspondence, if at all, until after resolution of the parties' dispute.

4. In the event, the movants' motion is denied they will be responsible for costs to include the reasonable expenses associated with reconvening Mr. Behrns' deposition.

DATED this 3rd day of November, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge