

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

<p>NICHOLAS SAMPSON,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>INVESTIGATOR EARL SCHENK, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>8:07CV155</p> <p>ORDER</p>
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This matter is before the court after a telephone conference with the parties on January 25, 2013, regarding progression of this case. Maren L. Chaloupka represented the plaintiff. Stephanie A. Caldwell, Kimberly K. Sturzenegger, and Timothy K. Dolan, represented the defendants. David W. Kofoed represented himself. Based on the conference,

IT IS ORDERED:

1. The defendants' Joint Motion to Strike Sampson's Supplemental Brief ([Filing No. 501](#)) is denied.
2. The defendants shall have until **January 31, 2013**, to further reply in support of their motions (Filing Nos. [485](#) and [488](#)) seeking consolidation of this case with the case of *Livers v. Schenck, et al.*, 8:08CV107, for the purpose of trial pursuant to Fed. R. Civ. P. 42(a).
3. The defendants shall have until **January 28, 2013**, to file a reply in support of their motion to compel a Rule 35 examination ([Filing No. 494](#)) of the plaintiff.
4. **Motions for Summary Judgment.** Motions for summary judgment shall be filed not later than **April 16, 2013**. See NECivR 56.1 and 7.1.
5. **Discovery Deadlines.**
 - a. **Deposition Deadline.** All depositions, whether or not they are intended to be used at trial, shall be completed by **June 3, 2013**.
 - b. **Written Discovery Deadline.** All interrogatories, requests for admission and requests for production or inspection, whether or not they are

intended to be used at trial, shall be served sufficiently early to allow rule time response before the deposition deadline. Counsel may stipulate to extensions of time to respond to discovery requests in accordance with Fed. R. Civ. P. 29, but such extensions shall not extend any of the dates in this order; any request to extend the deadlines of this order shall be sought by motion.

DATED this 28th day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge