

d. The parties shall have to **on or before February 12, 2010**, to file any motions for summary judgment.

2. A **telephone** planning conference with the undersigned magistrate judge will be held **February 19, 2010, at 10:30 a.m. Central Standard Time**. Plaintiffs' counsel shall initiate the telephone conference.

3. The defendant Burns & McDonnell Engineering Company, Inc.'s Motion to Compel ([Filing No. 213](#)) and any subsequently filed motion to compel are hereby scheduled for hearing on **November 5, 2009, at 10:30 a.m.** in Courtroom No. 7, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

4. The defendant Burns & McDonnell Engineering Company, Inc. shall serve the non-party Valmont Industries, Inc. with a copy of its motion, brief, and indexes of evidence, and this order and file a certificate of such service forthwith.

DATED this 5th day of October, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge