

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROD MARSHALL, KIMBERLY C.)
 BUNJER QUICK, DAVID HAYES, RON)
 FUCINARO, ROBERT HAYWORTH,)
 and TIMOTHY MCCORMICK, Trustees)
 of Contractors, Laborers, Teamsters)
 and Engineers Health & Welfare Plan)
 and Contractors, Laborers, Teamsters)
 and Engineers Pension Plan, and)
 LABORERS' INTERNATIONAL UNION)
 OF NORTH AMERICA, LOCAL 1140,)
)
 Plaintiffs,)
)
 v.)
)
 THERESA BAGGETT, d/b/a Baggett)
 Masonry, Inc.,)
)
 Defendant.)

8:08CV168

ORDER

This matter is before the court on defendant Theresa Baggett's motion to extend her time for filing an appeal for thirty days pursuant to Fed. R. App. P. 4(5). Filing No. [29](#). In support of this motion defendant Baggett states that she has now retained counsel and has moved for motion to set aside her default judgment. Filing Nos. [26](#) and [30](#). The plaintiffs have not yet responded to this motion to set aside. After reviewing the record, the court finds the motion to extend time should be granted.

THEREFORE, IT IS ORDERED that defendant's motion to extend her time to file an appeal, Filing No. [29](#), is granted for thirty days pursuant to Fed. R. App. P. 4(5).

DATED this 25th day of August, 2009.

BY THE COURT:

s/ Joseph F. Bataillon

Chief District Judge