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

AMERICA and THE STATE OF  NEBRASKA,  Plaintiffs,  V.  THE CITY OF WEST POINT,  NEBRASKA, PECKHAM, INC.  (f/k/a West Point Dairy Products,  Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC,  and WIMMER'S MEAT  PRODUCTS, INC.,  Defendants.  Defendants.	THE UNITED STATES OF	)	
Plaintiffs, ) 8:08CV293  v. )  THE CITY OF WEST POINT, ) ORDER  NEBRASKA, PECKHAM, INC. )  (f/k/a West Point Dairy Products, ) Inc.), MARK PECKHAM, WEST ) POINT DAIRY PRODUCTS, LLC, ) and WIMMER'S MEAT ) PRODUCTS, INC., )	AMERICA and THE STATE OF	)	
v.  THE CITY OF WEST POINT,  NEBRASKA, PECKHAM, INC.  (f/k/a West Point Dairy Products,  Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC,  and WIMMER'S MEAT  PRODUCTS, INC.,  )	NEBRASKA,	)	
v.  THE CITY OF WEST POINT,  NEBRASKA, PECKHAM, INC.  (f/k/a West Point Dairy Products,  Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC,  and WIMMER'S MEAT  PRODUCTS, INC.,  )		)	
THE CITY OF WEST POINT,  NEBRASKA, PECKHAM, INC.  (f/k/a West Point Dairy Products,  Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC,  and WIMMER'S MEAT  PRODUCTS, INC.,  )	Plaintiffs,	)	8:08CV293
THE CITY OF WEST POINT,  NEBRASKA, PECKHAM, INC.  (f/k/a West Point Dairy Products,  Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC,  and WIMMER'S MEAT  PRODUCTS, INC.,  )		)	
NEBRASKA, PECKHAM, INC.  (f/k/a West Point Dairy Products, Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC, and WIMMER'S MEAT  PRODUCTS, INC., )	v.	)	
NEBRASKA, PECKHAM, INC.  (f/k/a West Point Dairy Products, Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC, and WIMMER'S MEAT  PRODUCTS, INC., )		)	
(f/k/a West Point Dairy Products, Inc.), MARK PECKHAM, WEST POINT DAIRY PRODUCTS, LLC, and WIMMER'S MEAT PRODUCTS, INC., )	THE CITY OF WEST POINT,	)	ORDER
Inc.), MARK PECKHAM, WEST  POINT DAIRY PRODUCTS, LLC,  and WIMMER'S MEAT  PRODUCTS, INC.,  )	NEBRASKA, PECKHAM, INC.	)	
POINT DAIRY PRODUCTS, LLC, ) and WIMMER'S MEAT ) PRODUCTS, INC., )	(f/k/a West Point Dairy Products,	)	
and WIMMER'S MEAT ) PRODUCTS, INC., )	Inc.), MARK PECKHAM, WEST	)	
PRODUCTS, INC.,	POINT DAIRY PRODUCTS, LLC,	)	
)	and WIMMER'S MEAT	)	
Defendants. )	PRODUCTS, INC.,	)	
Defendants. )		)	
)	Defendants.	)	
		_ )	

## IT IS ORDERED:

- 1. Defendant West Point Dairy Products, LLC's unopposed motion (filing <u>63</u>) to extend time to respond to the pending motion (filing <u>57</u>) to dismiss cross-claim of West Point Dairy Products, LLC, is granted;
- 2. Defendant West Point Dairy Products, LLC, shall respond to the motion (filing <u>57</u>) to dismiss cross-claim on or before May 14, 2009.

DATED this 30<sup>th</sup> day of April, 2009.

BY THE COURT: s/ *Richard G. Kopf* United States District Judge