

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

THE UNITED STATES OF )  
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. )

8:08CV293

**MEMORANDUM AND ORDER**

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Due to an anticipated settlement of the claims between them, defendants West Point Dairy Products, LLC (“WPDP”), and Wimmer’s Meat Products, Inc. (“Wimmer’s”), and plaintiff United States of America have jointly moved (filing [72](#)) for extensions of time to allow Plaintiff time to file a motion to dismiss WPDP’s cross-claims and to further extend the deadlines of WPDP and Wimmer’s for responding to the City of West Point’s pending motion to dismiss (filing [57](#)). I shall grant the parties’ motion. Accordingly,

**IT IS ORDERED:**

1. The Joint Motion to Extend the United States’ Time to File a Motion to Dismiss the Cross-Claims of West Point Dairy Products, LLC, and to Extend West Point Dairy Products, LLC’s and Wimmer’s Meat Products, Inc.’s Time to File Responses to the Motion to Dismiss Filed by the City of West Point (filing [72](#)) is

granted;

2. Plaintiff United States of America may file a motion to dismiss West Point Dairy Products, LLC's, cross-claims on or before June 15, 2009;

3. West Point Dairy Products, LLC, and Wimmer's Meat Products, Inc., are granted until June 15, 2009, to respond to the City of West Point's pending motion to dismiss (filing [57](#));

4. The Clerk of Court shall adjust the court's computerized record-keeping system to indicate that the "response due" date for Filing [57](#) is June 15, 2009.

DATED this 19<sup>th</sup> day of May, 2009.

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