

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

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

PURSUANT to the Joint Motion To Abate All Motion to Dismiss and Briefing Deadlines Related to the Cross-Claims of West Point Dairy Products, LLC, and the Motion to Dismiss Filed by the City Of West Point (filing [75](#)), and the Court being fully advised of the premises,

IT IS ORDERED:

1. The Joint Motion To Abate All Motion to Dismiss and Briefing Deadlines Related to the Cross-Claims of West Point Dairy Products, LLC, and the Motion to Dismiss Filed by the City Of West Point (filing [75](#)) is granted;
2. All deadlines related to the United States’ time for filing a motion to dismiss West Point Dairy Products, LLC’s Cross-Claims, and to West Point Dairy Products, LLC’s and Wimmer’s time to respond to the City of West Point’s Motion (filing [57](#)) to Dismiss the Cross-Claim of West Point Dairy Products, LLC, are abated until either (a) the United States files a motion to enter the proposed consent decree (filing [74](#)) and the Court approves the same or (b) until the United States files a notice withdrawing from the proposed consent decree;
3. The City of West Point’s Motion (filing [57](#)) to Dismiss the Cross-Claim of West Point Dairy Products, LLC, is held in abeyance until further order of the court.

DATED this 16<sup>th</sup> day of June, 2009.

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