

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BEN KUMM; GLEN R. KUMM; JANICE
KUMM and DEANN KUMM, individually
and as co-personal representatives of
the ESTATE OF GAYLORD KUMM;
ESTATE OF GAYLORD KUMM; and
STARR KUMM n/k/a Starr Wallace,

8:08CV368

Plaintiffs,

v.

PHOENIX LIFE INSURANCE COMPANY
and PHL VARIABLE INSURANCE
COMPANY,

ORDER

Defendants.

SUN LIFE ASSURANCE COMPANY
OF CANADA,

8:08CV290

Plaintiff,

v.

JANICE KUMM AND DEANN KUMM,
as co-personal representatives of
the ESTATE OF GAYLORD KUMM;
DEANN KUMM, individually; ESTATE
OF GAYLORD KUMM; BEN KUMM,
individually, GLEN R. KUMM,
individually; and STARR KUMM n/ka
Starr Wallace, individually,

Defendants and
Third-Party Plaintiff,

v.

GERALD BRYCE, JAMES GRENDALL,
BRYAN REIL, and PARADIGM
FINANCIAL SERVICES, LLC,

Third-Party Defendants.

This matter is before the court on the motion for an immediate progression hearing regarding status of deposition and consolidation by the Defendants/Third Party Plaintiffs in Case No. 8:08CV290 and the Plaintiffs in Case No. 8:08CV368 (Filing No. 136 in 8:08CV290; Filing No. 71 in 8:08CV368). Upon consideration,

IT IS ORDERED:

1. The motions for an immediate hearing (Filing No. 136 in 8:08CV290 and Filing No. 71 in 8:08CV368) are granted.

2. A **telephone** conference regarding the status of deposition and consolidation of these matters will be held on **August 24, 2009, at 9:00 a.m.** with the undersigned magistrate judge and the parties. Counsel for the moving parties shall initiate the telephone conference.

DATED this 20th day of August, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge