IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THOMAS D. STALNAKER, Trustee of the Bankruptcy Estate of MERIT TRANSPORTATION COMPANY, INC.,	)	
Plaintiff,	)	**8:08CV415**
vs.	)	**ORDER**
PILGRIMS' PRIDE CORPORATION,	)	
Defendant.	)	

This matter is before the court on the Motion to Substitute (Filing No. 8) filed by Thomas D. Stalnaker, Trustee. On October 19, 2007, Merit Transportation Company, LLC filed for protection under Chapter 11 of the Bankruptcy Act, in the United States Bankruptcy Court for the District of Nebraska. On August 29, 2008, the bankruptcy proceeding was converted to a Chapter 7 bankruptcy proceeding and Thomas D. Stalnaker was appointed Chapter 7 Trustee. On October 6, 2008, the referral of this matter to Bankruptcy Court for the District of Nebraska was withdrawn. **See** Filing No. 6. Based on these facts, Thomas D. Stalnaker moves the Court for an Order substituting Thomas D. Stalnaker, Trustee of the Bankruptcy Estate of Merit Transportation Company, LLC, as the plaintiff in these proceedings. The motion is unopposed. Upon consideration,

IT IS ORDERED:

1. The Motion to Substitute (Filing No. 8) is granted.

2, The Clerk of Court shall amend the docket sheet to reflect Thomas D. Stalnaker, Trustee of the Bankruptcy Estate of Merit Transportation Company, LLC, is the plaintiff in these proceedings.

DATED this 28th day of October, 2008.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge

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