

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

WILLIAM DUANE LEWTON, et al.,)
)
Plaintiffs,)
)
vs.)
)
DIANNA DIVINGNZZO, et al.,)
)
Defendants.)

8:09CV2

ORDER

In response to the court's Certificates Pursuant to 28 U.S.C. § 2403(a) (Filings 37 & 38), the court was advised that neither the United States Attorney General nor the Attorney General for the State of Nebraska elect to intervene in this matter.

IT IS ORDERED that the plaintiffs' motions for "direction" on how to proceed (Filings 33 & 36) are granted in that the plaintiffs are given until **August 31, 2010** (the summary judgment motion deadline) to file a motion addressing all of their constitutional law challenges to 18 U.S.C. § 2510, *et seq.*, and Neb. Rev. Stat. §§ 86-2,103 through 86-2,116. Any such motion shall fully comply with all requirements of NECivR 7.0.1. Any issues raised in the motion, but not fully briefed at the time the motion is filed, will be deemed abandoned.

DATED January 29, 2010.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**