

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARCELLA P. McNEIL, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 LABOR READY and COMMAND )  
 CENTER, 335 North 76th Street,) )  
 Omaha, NE 68114, and 3773 )  
 West 5th Avenue Post Falls, )  
 ID 83854, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

8:09CV60

MEMORANDUM AND ORDER

This matter is before the Court on defendant Command Center's motion for leave to file answer out of time (Filing No. [15](#)). In its motion, Command Center states that summons was delivered in Omaha, and was not forwarded to its General Counsel until after the time for filing an answer or other responsive pleading had expired. (*Id.*) For good cause shown, the motion will be granted.

IT IS ORDERED:

1. Defendant Command Center's motion for leave to file answer out of time (Filing No. [15](#)) is granted. Command Center shall file an answer or other responsive pleading no later than August 19, 2009.

2. The clerk of the court is directed to set a pro se case management deadline in this matter with the following

text: August 19, 2009: deadline for Command Center to file answer  
or responsive pleading.

DATED this 10th day of August, 2009.

BY THE COURT:

/s/ Lyle E. Strom

---

LYLE E. STROM, Senior Judge  
United States District Court