

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

**CREIGHTON SAINT JOSEPH REGIONAL )  
HEALTHCARE, LLC d/b/a SAINT )  
JOSEPH HOSPITAL-CREIGHTON )  
UNIVERSITY MEDICAL CENTER, )**

**CASE NO. 8:09CV114**

**Plaintiff, )**

**ORDER ON REMAND**

**v. )**

**SIMMONDS RESTAURANT )  
MANAGEMENT, INC.; and SIMMONDS )  
RESTAURANT MANAGEMENT, INC. )  
EMPLOYEE BENEFIT PLAN, )**

**Defendants. )**

For the reasons stated in the Court’s Memorandum and Order of this same date, this Court lacks subject matter jurisdiction in this case and the case is remanded to the District Court of Douglas County, Nebraska, for further proceedings.

Dated this 16<sup>th</sup> day of December, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Court