

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

U.S. FOODSERVICE, INC.,)	
)	
Plaintiff,)	8:09CV254
)	
vs.)	ORDER
)	
DONALD ROLF, et al.,)	
)	
Defendants.)	

This matter is before the court on the plaintiff’s Motion for Leave to Amend the First Amended Complaint and Amend the Progression Order ([Filing No. 45](#)). The plaintiff seeks to add a party defendant based on the results of recent discovery. The defendants do not oppose the plaintiff’s motion to amend the complaint. The court finds good cause exists to allow the plaintiff to amend the complaint. Further, the plaintiff seeks a telephone conference to establish case progression deadlines. The court will schedule a planning conference as set forth below. Upon consideration,

IT IS ORDERED:

1. The plaintiff’s Motion for Leave to Amend the First Amended Complaint and Amend the Progression Order ([Filing No. 45](#)) is granted. The plaintiff shall have to **on or before November 22, 2010**, to file the Second Amended Complaint.

2. This matter is hereby scheduled for a telephone conference regarding the progression of the case on **December 6, 2010, at 10:30 a.m., Central Standard Time**, with the undersigned magistrate judge. Counsel for the plaintiff shall initiate the telephone conference.

DATED this 12th day of November, 2010.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge