

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

<b>TRANSGENOMIC, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:10CV79</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>POWER3 MEDICAL PRODUCTS, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court following a telephone conference with counsel on May 16, 2011. The plaintiff was represented by Robert M. Schartz and the defendant was represented by Gregory C. Scaglione. The parties reported a mediation session was canceled by the defendant. Accordingly,

**IT IS ORDERED:**

1. The mediation stay previously imposed by the court ([Filing No. 65](#)) is dissolved.
2. The defendant shall file an answer to the plaintiff's complaint on or before **May 31, 2011**.
3. The parties shall meet, confer, and file an Amended Rule 26(f) Report on or before **June 6, 2011**. Please use the revised "Form 35 (Rule 26(f)) Report" posted on the court's website, [www.ned.uscourts.gov/forms](http://www.ned.uscourts.gov/forms).

DATED this 16th day of May, 2011.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge