

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

**VFS US LLC d/b/a VOLVO** )  
**FINANCIAL SERVICES, f/d/b/a** )  
**VOLVO COMMERCIAL FINANCE,** )  
) )  
**Plaintiff,** )  
) )  
**vs.** )  
) )  
**WALTER M. PRICE, III, and TMS** )  
**DEVELOPMENT, LLC,** )  
) )  
**Defendants.** )

**8:10CV168**

**SCHEDULING ORDER**

This case is before the magistrate judge for full pretrial supervision. The court file shows that the defendants were served with summons on May 6, 2010. Apparently, the defendants have failed to timely answer or otherwise respond to the complaint. It remains plaintiff's duty to go forward in prosecuting the case by, for example, obtaining an entry of default and filing a motion for default judgment.

**IT THEREFORE IS ORDERED** that plaintiff is given until **August 13, 2010** to obtain an entry of default pursuant to Fed. R. Civ. P. 55(a) and file a motion for default judgment in accordance with Fed. R. Civ. P. 55(b), or take other appropriate action to prosecute this case. Failure to take appropriate action may result in a recommendation that the case be dismissed without prejudice pursuant to NECivR 41.1 for failure to prosecute.

**DATED July 14, 2010.**

**BY THE COURT:**

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