

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

**EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)**

Case No. 8:10CV00318

Plaintiff,)

ORDER

ABDI MOHAMED, et al.,)

Plaintiff/Intervenors,)

FARHAN ABDI, et al.,)

Plaintiff/Intervenors,)

V.)

**JBS USA, LLC, f/k/a JBS SWIFT & CO.,)
a/k/a SWIFT BEEF COMPANY,)**

Defendant.)

The Court has reviewed the parties’ respective Rule 26(f) reports, and notes that the reports contain very different proposals regarding the progression schedule for Phase II of this litigation. These differences are largely attributable to Plaintiffs’ desire to conduct limited “bellwether” discovery and trials.

Having reviewed the matter, the Court rejects Plaintiffs’ bellwether proposal as this procedure will not lend itself to an efficient adjudication of this action. Therefore, the Court will generally adopt Defendant’s suggested progression schedule. However, because Plaintiffs have not responded to the specific dates set forth by Defendant in its report, the Court will order the parties to confer and submit a joint progression schedule.

In addition, although the parties were not clear as to whether they are interested in mediating this matter, the parties are advised that they are free to mediate this dispute at any time. However, the Court will not order, nor will it conduct, any such mediation.

Accordingly,

IT IS ORDERED that by or before December 5, 2014, the parties shall meet and confer and jointly submit a revised Rule 26(f) report.

DATED November 19, 2014.

BY THE COURT:

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