

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNION PACIFIC RAILROAD COMPANY,

Plaintiff,

vs.

BEEMAC TRUCKING, LLC, LANDSTAR
RANGER, INC., EDWARD SAMUEL
EDLING,

Defendants.

CASE NO. 8:11CV8

ORDER

This matter is before the Court on Union Pacific Railroad Company's ("UP") Objection (Filing No. 252) to Magistrate Judge F.A. Gossett's Order. (Filing No. 236.) On October 29, 2013 Judge Gossett entered an Order (Filing No. 236) granting Defendants' Joint Motion for a Bench Trial on crossclaims of Landstar Ranger, Inc. and Edward Samuel Edling against Beemac Trucking, LLC, and on Beemac Trucking, LLC's crossclaim against Landstar Ranger, Inc.. (Filing No. 231.) Plaintiff's Objection will be overruled for the reasons stated below.

"A party may object to a magistrate judge's order in a nondispositive matter." NECivR 72.2(a)(emphasis added). UP is not a party to Defendants' crossclaims; therefore, UP does not have standing to object to Judge Gossett's Order under Nebraska Civil Rule 72.2(a). Even if UP had standing to object under Nebraska Civil Rule 72.2(a), UP's Objection would be overruled. The district court "must consider timely objections and modify or set aside any part of the [magistrate's] order that is clearly erroneous or is contrary to law." Fed. R. Civ. P. 72(a). Judge Gossett's Order is neither "clearly erroneous" nor "contrary to law."

Accordingly,

IT IS ORDERED:

1. Union Pacific Railroad Company's Objection (Filing No. 252) is overruled.

Dated this 5th day of November, 2013.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge