

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GILBERT G. LUNDSTROM,)	
)	
Plaintiff,)	8:11CV94
)	
v.)	
)	
FEDERAL DEPOSIT INSURANCE)	ORDER
CORPORATION, in its capacity as)	
receiver and/or conservator of TierOne)	
Bank,)	
)	
Defendant.)	
_____)	

This matter is before the Court after a telephonic hearing with counsel on January 4, 2012. The court is advised that this action has been settled. Accordingly,

IT IS ORDERED:

1. This action is stayed pending settlement approval.
2. The pending motion to dismiss, Filing No. 14, and the joint motion to extend deadline, Filing No. 27, are denied as moot, without prejudice to refile if settlement is not finalized.
3. The parties shall file a status report within 60 days of the date of this order and every thirty days thereafter until settlement is effectuated.

DATED this 6th day of January, 2012.

BY THE COURT:

s/Joseph F. Bataillon
 JOSEPH F. BATAILLON
 UNITED STATES DISTRICT JUDGE