

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HOME INSTEAD, INC., a Nebraska Corp.;

Plaintiff,

8:12CV264

vs.

DAVID FLORANCE, MICHELLE
FLORANCE, FRIEND OF A FRIEND, INC.,

Defendants.

MEMORANDUM AND ORDER

Upon remand from the Eighth Circuit court of Appeals,

IT IS ORDERED:

- 1) The motion to stay pending appeal filed on behalf of David Florance, Michelle Florance, and Friend of a Friend, Inc., (Filing No. 71), is denied as moot.
- 2) The motion to restrict filed on behalf of Plaintiff Home Instead, Inc., (Filing No. 73), is granted and filing no. 76 (Exhibit H to the affidavit of Adam Barney) shall remain filed as a restricted access document.
- 3) The parties shall review the court's prior progression order, (Filing No. 64), and shall jointly confer to determine if any of the deadlines set forth in that order need to be extended or changed.
 - a. If any amendments to the progression order are needed:
 - i. On or before July 31, 2013, the parties shall file a joint motion to amend the final progression order for the court's consideration, or
 - ii. If one or more of the parties believes a planning conference is needed to discuss any modification of the progression order, or if the parties cannot agree on one or more of the deadlines, on or before July 24, 2013, a party shall contact my chambers at (402) 437-1670, or by email addressed to zwart@ned.uscourts.gov, to arrange a conference call.
 - b. Absent either a motion or a planning conference to modify the progression order entered on April 23, 2013, the court's prior progression order, (Filing No. 64), will remain in effect.

July 17, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge