

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

THOMAS E. PEREZ, Secretary of Labor,  
United States Department of Labor;

Plaintiff,

vs.

DIANE SAALE, JAMES BOHLKEN,

Defendants.

**8:13CV192**

**ORDER**

This matter is before the court on Plaintiff's Motion to Compel, (Filing No. 1), and Defendants' Motion to Dismiss, (Filing No. 10). Counsel participated in a telephonic hearing on the matter. Based upon the representations of the parties,

IT IS ORDERED:

- 1) Defendants will agree to submit to an interview at a time mutually agreed upon by the parties. By agreeing to be interviewed, the defendants are not waiving any defenses based on the statute of limitations for current or future citations issued by the Occupational Health and Safety Administration.
- 2) The parties shall report to the court no more than five (5) days after the interviews are completed to address any outstanding issues related to the pending motions.
- 3) The court will reserve a final ruling on the motions until it receives the parties' status report and any outstanding issues are addressed.
- 4) Thomas E. Perez, the newly appointed Secretary of Labor, is substituted for Seth Harris, the former Acting Secretary of Labor, as the plaintiff. All future

captions for documents filed of record herein shall reflect this change, and the clerk shall modify the docket sheet accordingly.

Dated this 20th day of August, 2013.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge