

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARY WICKENKAMP,

Plaintiff,

vs.

CLAY SMITH, et. al;

Defendants.

**8:13CV262****MEMORANDUM AND ORDER**

The defendants have moved to change the place of trial from Omaha to Lincoln. (Filing Nos. 39 & 45). The plaintiff did not respond to the motions, and the deadline for responding has passed. The motions are deemed unopposed.

The court “considers the convenience of the litigants, witnesses, and attorneys when deciding the place of trial.” NECivR 40.1(b)(1). Based on the parties’ submissions, Defendants Stratman and Smith live and work in Lincoln, Nebraska, and several of the key witnesses reside in Lincoln, Nebraska. Defendant Cline Williams is a limited liability partnership with its principal place of business in Lincoln, Nebraska. There are no parties or known witnesses residing in Omaha, Nebraska.

The court finds Lincoln is the most convenient trial location for the parties and witnesses. Accordingly,

## IT IS ORDERED:

- 1) Defendants’ motions to transfer this case to Lincoln, (Filing Nos. 39 and 45), are granted.
- 2) The above-captioned case is transferred to the court’s Lincoln trial location.

November 5, 2013.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge