

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD D. MYERS, Chapter 7
Trustee of the Daniel M. Malone
bankruptcy estate,

8:13-CV-353

Plaintiff,

vs.

JEANNE MALONE,

Defendant.

ORDER

The Court has received the parties' responses to its Order of December 6, 2013 (filing 3). Being fully advised, the Court will sustain the plaintiff's objection and direct the parties to proceed with their objections (if any) to the Bankruptcy Judge's findings and recommendation (filing 1). But due to the size of the record in this case, the Court finds that an extended briefing schedule is appropriate.

IT IS ORDERED:

1. The plaintiff's objection (filing 5) is sustained.
2. The Clerk of the United States Bankruptcy Court shall cause a transcript of the trial proceedings held on September 10, 2013, to be prepared and filed.
3. Any party wishing to object to the Bankruptcy Judge's findings and recommendation (filing 1) shall do so by filing an objection and supporting brief within 30 days after the trial transcript is available to counsel, specifying (1) the parts of the findings and recommendation to which the party objects and (2) the legal basis of the objection.
4. Failure to object to a finding of fact in the Bankruptcy Judge's findings and recommendation may be construed as a waiver of the right to object to the Court's order adopting the finding of fact.

5. Any party wishing to oppose an objection shall do so by filing a brief in opposition within 21 days after the objection was filed.
6. Any party wishing to file a reply brief in support of an objection shall do so within 10 days after the brief in opposition was filed.
7. A brief supporting or opposing an objection shall provide citations to the exact locations in the bankruptcy court record upon which the briefing party relies.
8. The parties need not refile or reoffer evidentiary materials filed or received in evidence when this matter was before the bankruptcy court, and no party may offer additional evidentiary materials without the permission of the Court.

Dated this 2nd day of January, 2014.

BY THE COURT:



John M. Gerrard
United States District Judge