

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KELLY HEIM,

Plaintiff,

vs.

BNSF RAILWAY COMPANY,

Defendant.

**8:13CV369**

**ORDER**

After conferring with counsel,

IT IS ORDERED:

1) The defendant's anticipated motion for protective order regarding plaintiff's 30(b)(6) deposition notice shall be filed on or before January 9, 2015. The plaintiff's response to that motion shall be filed on or before January 16, 2015, with any reply due on or before January 23, 2015.

2) As to the two fact railroad fact witnesses the plaintiff wishes to depose, and the 30(b)(6) deposition discussed in paragraph 1 (if the motion for protective order is denied), the deposition deadline is continued, and the parties shall cooperate in scheduling those depositions. In all other respects, the deposition deadline within the court's prior scheduling order remains in effect.

3) The parties shall promptly consider whether settlement negotiations are warranted and, if so, implement those efforts in good faith—starting with the plaintiff's demand.

4) The parties are advised that any dispositive motions must be promptly filed. Any delay will likely result in moving the pretrial conference and trial date on the court's own motion.

January 6, 2015.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge