IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GARY D. SMITH, on behalf of himself and all others similarly situated,	§	
Plaintiff	§	
vs.	§	Case No.: 8:14-cv-00183-FG3
GURSTEL CHARGO, PA, TODD GURSTEL and MITCH CHARGO,	§	
Defendants	§	

ORDER GRANTING JOINT MOTION TO DISMISS DEFENDANTS TODD GURSTEL AND MITCH CHARGO WITHOUT PREJUDICE AND TO EXTEND THE DEADLINE FOR GURSTEL CHARGO TO ANSWER

THIS MATTER came before the Court on the joint motion of the parties to dismiss without prejudice Plaintiff's claims against Todd Gurstel and Mitch Chargo and to extend Defendant Gurstel Chargo, P.A.'s deadline to respond to Plaintiff's Complaint until the Court rules on the proposed settlement. Upon good cause shown, the Court finds that the Motion should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff's claims against Todd Gurstel and Mitch Chargo are dismissed without prejudice.

IT IS FURTHER ORDERED that Defendant Gurstel Chargo, P.A.'s deadline to answer or otherwise response to Plaintiff's Complaint is extended to 30 days after the Court rules on the proposed settlement, should the settlement not be accepted.

Dated this 23rd day of September, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
U.S. District Judge