

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**DONALD MORGAN,**

**Plaintiff,**

**vs.**

**MICHAEL ROBINSON, WASHINGTON  
COUNTY SHERIFF, an individual, and  
WASHINGTON COUNTY, NEBRASKA,**

**Defendants.**

**8:14CV212**

**ORDER**

This matter is before the court on the defendants' Motion to Compel Arbitration (Filing No. 62). The defendants filed a brief (Filing No. 64) and an index of evidence (Filing No. 63) in support of the motion. The plaintiff filed a brief (Filing No. 65) opposing the motion. The defendants filed a brief (Filing No. 66) in reply. In the reply, the defendants conceded the plaintiff was not required to engage in further arbitration of his constitutional claims. The defendants sought additional time to file an answer after which it would be appropriate to begin progression. Accordingly,

**IT IS ORDERED:**

1. The defendants' Motion to Compel Arbitration (Filing No. 62) is denied.
2. The stay of this case is lifted.
3. The defendants shall have until **October 19, 2015**, to file an answer or otherwise respond to the plaintiff's Complaint (Filing No. 1).
4. The parties shall have until **November 3, 2015**, to file a planning report as required by Fed. R. Civ. P. 26(f).

Dated this 18th day of September, 2015.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge