

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

**UNION PACIFIC RAILROAD
COMPANY,**

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

8:14CV237

ORDER

This matter is before the court on the defendant's Motion for Protective Order and Amendment of Progression Order (Filing No. 34). The defendant filed an index of evidence (Filing No. 35) in support of the motion. The plaintiff filed a brief (Filing No. 36) and an index of evidence (Filing No. 37) in opposition to the motion. The defendant filed a brief (Filing No. 38) in reply. Upon consideration and for good cause shown,

IT IS ORDERED:

1. The defendant's Motion for Protective Order and Amendment of Progression Order (Filing No. 34) is granted.
2. The September 15, 2015, Notice of Deposition (Filing No. 35-1) setting a deposition of Beth Nichols for September 22, 2015, is quashed. The plaintiff may reschedule the deponent's deposition to be held in October 2015.
3. The December 4, 2014, progression order (Filing No. 13) is amended as follows: (a) the plaintiff shall have until **October 30, 2015**, to file a response to the defendant's Partial Motion to Dismiss (Filing No. 31) and the defendant shall have until **November 9, 2015**, to file a reply; and (b) the parties shall have until **November 23, 2015**, to file motions for summary judgment, with extended briefing as previously ordered.

Dated this 18th day of September, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge