

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

SCOTT LEE, ) Case No. 8:14-cv-00272  
)  
Plaintiff, )  
)  
v. ) **ORDER**  
)  
WALMAN OPTICAL COMPANY, )  
)  
Defendant. )

IT ORDERED that the stipulated motion of the parties (filing 14) is granted and, accordingly, that:

1. Plaintiff's third cause of action is dismissed with prejudice;
2. Defendant's motion to dismiss (filing 6) is denied without prejudice, as moot; and
3. Plaintiff is granted leave to file an amended complaint in the form of the

complaint attached to the stipulated motion no later than five (5) days after entry of this order, and Defendant shall file a response to the amended complaint no later than fourteen (14) days from the date the amended complaint is filed.

DATED this 10th day of October, 2014. BY THE COURT:

s/ Richard G. Kopf  
Senior United States District Judge