

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MCDONALD APIARY, LLC,

Plaintiff,

v.

STARRH BEES, INC.; DALE ASHLEY,  
ANNE ASHLEY; and JONATHAN  
GONZALEZ,

Defendants.

**ORDER**

As to both Plaintiff and Defendants, the parties' exhibit list includes objections based on untimely disclosure of the opposing parties' documents. "Unless the court orders otherwise, [document] disclosures must be made at least 30 days before trial." Fed. R. Civ. P. 26(a)(3)(B).

As I previously noted, both Plaintiff and Defendants have conducted discovery up until the eve of trial—neither party wanting to continue the trial and both sides requesting discovery relevant to new claims raised less than three months ago. (Filing No. 232, n. 1). Under the circumstances presented, the court finds disclosures made within thirty days of trial are not untimely.

Accordingly,

IT IS ORDERED that the parties objections, as stated on their exhibit lists, that documents were not timely disclosed, are denied.

November 30, 2016.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge