

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKAAPPLIED UNDERWRITERS, INC., a  
Nebraska Corporation;

Plaintiff,

vs.

TOP'S PERSONNEL, INC., A New  
Jersey Corporation;

Defendant.

**8:15CV90****ORDER**

On January 16, 2018, Defendant filed a Motion for Leave to Amend, requesting permission to assert a counterclaim and to conduct limited discovery in support of that claim. ([Filing No. 116](#)). Plaintiff opposed the motion. ([Filing No. 121](#)). On January 26, 2018, the court held a hearing on the record on Defendant's motion. ([Filing No. 124](#)). Accordingly,

## IT IS ORDERED:

- 1) For the reasons stated on the record ([Filing No. 124](#)), Defendant's Motion for Leave to Amend ([Filing No. 116](#)) is granted. Defendant shall file an amended answer and counterclaim on or before February 2, 2018. Discovery related to the merits Defendant's counterclaim shall commence on or after the date the amended answer and counterclaim are filed with the court.
- 2) The deadline for motions for summary judgment is extended to February 9, 2018.

3) The deadline to file a motion for class certification is March 2, 2018.

Dated this 26th day of January, 2018.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge