

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICK BREMMER,

Plaintiff,

vs.

APPLETON ELECTRIC, LLC,

Defendant.

8:15CV329

ORDER

This matter is before the court on Appleton Electric, LLC's (Appleton) Motion to Compel (Filing No. 49). Appleton seeks to compel past due discovery responses and the payment of previously court-ordered fees. The court held a telephone conference with the parties on September 19, 2016, to discuss scheduling and the motion. Eric B. Brown represented Rick Bremmer (Bremmer). Brandan Mueller and Kamron T.M. Hasan represented Appleton. Bremmer conceded Appleton's motion. Accordingly,

IT IS ORDERED:

1. Appleton Electric, LLC's Motion to Compel (Filing No. 49) is granted.
2. Rick Bremmer shall have until **on or before September 28, 2016**, to provide responses to the requested discovery and make full payment in accordance with the August 1, 2016, Order.
3. Counsel for the parties shall confer on a reasonable amount of costs and fees to be awarded for Appleton's having to file the motion to compel. If there is agreement, they shall file **on or before September 28, 2016**, a stipulation of the costs and fees to be awarded. In the event the parties fail to reach an agreement, Appleton may file **on or before October 3, 2016**, an application for the award of the costs and fees accompanied by an affidavit of such costs and fees, pursuant to NECivR 54.3 and 54.4. Bremmer shall have until on or before **October 17, 2016**, to respond to the application. Thereafter, the issue of costs and sanctions will be deemed submitted and a written order entered.
4. The court will hold a **telephone conference on September 30, 2016, at 10:00 a.m.** for the purpose of reviewing the preparation of the case to date and

scheduling the case to trial. Bremmer's counsel shall initiate the conference with the undersigned magistrate judge and participating counsel.

Dated this 19th day of September, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge