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

REDDICK MANAGEMENT CORP., and KEVIN REDDICK, Individually and in his Official Capacity as Owner of Reddick Management Corp.;

8:16CV99

Plaintiffs,

ORDER

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CITY OF OMAHA, NEBRASKA, PAUL KRATZ, in his Official Capacity; MICHELLE PETERS, in her Individual and Official Capacities; and BROOK BENCH, in his Individual and Official Capacities;

Defendants.

This matter is before the court on defendants' motion to strike index, Filing No.

32. In view of the decision of this court as set forth in the Memorandum and Order,

Filing No. 35, the court finds it is not necessary to rule on this motion. The court did not

need to stray from the pleadings to make its decision. Accordingly, the court will deny

the motion.

THEREFORE, IT IS ORDERED THAT defendants' motion to strike, Filing No. 32,

is denied.

Dated this 17th day of August, 2016.

BY THE COURT:

<u>s/ Joseph F. Bataillon</u> Senior United States District Judge