

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

**THOMAS HARRIS,**

**Plaintiff,**

**vs.**

**SAPP BROS. PETROLEUM, INC., and  
SAPP BROS. FUEL, INC.,**

**Defendants.**

**8:17CV156**

**THIRD AMENDED ORDER  
SETTING FINAL SCHEDULE FOR  
PROGRESSION OF CASE**

This matter comes before the Court on the Joint Motion to Extend Progression Order ([Filing No. 40](#)). After review of the motion, and for good cause shown, the Court finds the motion should be granted. Accordingly,

**IT IS ORDERED** that the Joint Motion to Extend Progression Order ([Filing No. 40](#)) is granted and the case progression deadlines are extended as follows:

- 1) The jury trial of this case is set to commence before Robert F. Rossiter, Jr., United States District Judge, in Courtroom 4, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at **9:00 a.m. on February 10, 2020**, or as soon thereafter as the case may be called, for a duration of five (5) trial days. This case is subject to the prior trial of other civil cases that may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled before the undersigned magistrate judge on **January 24, 2020, at 11:00 a.m.**, and will be conducted in chambers. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [nelson@ned.uscourts.gov](mailto:nelson@ned.uscourts.gov), in Word format, by **3:00 p.m. on January 17, 2020**.
- 3) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 4) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 5) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of

circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 7<sup>th</sup> day of March, 2019.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge