

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LANA L. STARKEY, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 AMBER ENTERPRISES, INC. d/b/a )  
 AMBER PHARMACY, a Corporation, )  
 HY-VEE, INC., a Corporation and MIKE )  
 AGOSTINO, individually, )  
 )  
 Defendants. )

CASE NO. 8:17-CV-00029

**NOTICE OF APPEAL**

NOTICE is hereby given that Defendant Amber Enterprises, Inc. d/b/a Amber Pharmacy, hereby appeals to the United States Court of Appeals for the Eighth Circuit from the Memorandum and Order dated November 15, 2019 (Filing No. 94), the Judgment dated November 15, 2019 (Filing No. 95), and any and all other orders, findings, conclusions, and holdings relating or contributing to the final judgment.

AMBER ENTERPRISES, INC. d/b/a  
AMBER PHARMACY, a Corporation,  
Defendant.

By: Baylor Evnen, LLP  
Wells Fargo Center  
1248 "O" Street, Suite 600  
Lincoln, NE 68508  
(402) 475-1075  
[tgerdes@baylorevnen.com](mailto:tgerdes@baylorevnen.com)  
[cschmidt@baylorevnen.com](mailto:cschmidt@baylorevnen.com)

By: /s/ Torrey J. Gerdes  
Torrey J. Gerdes, # 23924  
Christopher M. Schmidt, #26096

**CERTIFICATE OF SERVICE**

I hereby do certify that I am one of the attorneys of record for the Defendants and that on December 13, 2019 I electronically filed the foregoing using the CM/ECF system which sent notification of such filing to the following:

Raymond R. Aranza  
Jamie M. Hurst  
Valentine O'Toole, LLP  
[raranza@valentineotoole.com](mailto:raranza@valentineotoole.com)  
[jhurst@valentineotoole.com](mailto:jhurst@valentineotoole.com)  
*Attorneys for the Plaintiff*

By: /s/ Torrey J. Gerdes  
Torrey J. Gerdes, # 23924

2763411

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

**NOTICE OF APPEAL  
(CIVIL)**

**LANA L. STARKEY,**

**Plaintiff,**

**vs.**

**AMBER ENTERPRISES, INC. d/b/a  
AMBER PHARMACY, a Corporation,  
HY-VEE, INC., a Corporation and MIKE  
AGOSTINO, individually,**

**Defendants.**

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**CASE NO. 8:17-cv-00029**

**NOTICE OF CROSS-APPEAL**

Notice is hereby given that Plaintiff, Lana L. Starkey, cross-appeals to the United States Court of Appeals for the Eighth Circuit from the Order (Filing No. 94) and Judgment (Filing No. 95) entered in this action on the 15<sup>th</sup> day of November 2019.

DATED this 23<sup>rd</sup> day of December 2019.

**LANA L. STARKEY, Plaintiff**

BY /s/Jamie M. Hurst

Jamie M. Hurst #25256  
Raymond R. Aranza, #18523  
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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 23<sup>rd</sup> day of December 2019, I electronically filed the foregoing Notice of Appeal with the Clerk of the United States District Court and all counsel of record using the CM/ECF system, which sent notification of such filing to the United States District Court and:

Torrey J. Gerdes  
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/s/Jamie M. Hurst

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APPEAL,CLOSED,PROTECTIVEORDER,STAT-CONSENT,TRIAL-OMAHA

**U.S. District Court  
District of Nebraska (8 Omaha)  
CIVIL DOCKET FOR CASE #: 8:17-cv-00029-BCB-SMB**

Starkey v. Amber Enterprises, Inc.  
Assigned to: Judge Brian C. Buescher  
Referred to: Magistrate Judge Susan M. Bazis  
Case in other court: USCA - 8th Circuit, 19-03688  
District Court of Douglas County, Nebraska,  
CI 16-10363  
19-03757, USCA-8th Circuit  
Cause: 28:1331 Fed. Question

Date Filed: 01/27/2017  
Date Terminated: 11/15/2019  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Lana L. Starkey**

represented by **Jamie M. Hurst**  
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*ATTORNEY TO BE NOTICED*

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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Amber Enterprises, Inc.**  
*a Corporation*  
*doing business as*  
Amber Pharmacy

represented by **Christopher M. Schmidt**  
BAYLOR, EVNEN LAW FIRM  
1248 O Street  
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*ATTORNEY TO BE NOTICED*

**Gail S. Perry**  
 AMERITAS LIFE INSURANCE CORP.  
 5900 O Street  
 Lincoln, NE 68510  
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 Fax: (402) 467-7956  
 Email: gail.perry@ameritas.com  
 TERMINATED: 03/29/2018

**Torrey J. Gerdes**  
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 ATTORNEY TO BE NOTICED

**Defendant**

**Hy-Vee, Inc.**  
*a Corporation*  
 TERMINATED: 11/15/2019

represented by **Christopher M. Schmidt**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Gail S. Perry**  
 (See above for address)  
 TERMINATED: 03/29/2018

**Torrey J. Gerdes**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Defendant**

**Mike Agostino**  
*Individually*  
 TERMINATED: 11/15/2019

represented by **Christopher M. Schmidt**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Gail S. Perry**  
 (See above for address)  
 TERMINATED: 03/29/2018

**Torrey J. Gerdes**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 01/27/2017 | <u>1</u> | NOTICE OF REMOVAL with jury demand against Lana L Starkey from District Court of Douglas County, Nebraska, Case number CI 16-10363 ( Filing fee \$ 400, receipt number 0867-3376803) with attached state court pleadings, by Attorney Torrey J. Gerdes on behalf of Amber Enterprises, Inc., Hy-Vee, Inc., Mike Agostino (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Gerdes, Torrey) (Entered: 01/27/2017) |

|            |           |  |
|------------|-----------|--|
| 01/27/2017 | <u>2</u>  | TEXT NOTICE OF JUDGES ASSIGNED: Magistrate Judge F.A. Gossett assigned. (GJG) (Entered: 01/27/2017)  |
| 01/27/2017 | <u>3</u>  | TEXT NOTICE REGARDING CORPORATE DISCLOSURE STATEMENT by Deputy Clerk as to Defendants Amber Enterprises, Inc., and Hy-Vee, Inc. Pursuant to Fed. R. Civ. P. 7.1, non-governmental corporate parties are required to file Corporate Disclosure Statements (Statements). The parties shall use the form Corporate Disclosure Statement, available on the Web site of the court at <a href="http://www.ned.uscourts.gov/forms/">http://www.ned.uscourts.gov/forms/</a> . If you have not filed your Statement, you must do so within 15 days of the date of this notice. If you have already filed your Statement in this case, you are reminded to file a Supplemental Statement within a reasonable time of any change in the information that the statement requires.(GJG) (Entered: 01/27/2017) |
| 01/31/2017 | <u>4</u>  | MOTION for Extension of Time to File a Responsive Pleading by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc.. (Gerdes, Torrey) (Entered: 01/31/2017)   |
| 01/31/2017 | <u>5</u>  | TEXT ORDER granting <u>4</u> Motion for Enlargement of Time (unopposed). Defendants shall have an extension of time to March 1, 2017, to file an answer or otherwise respond to the Complaint [1-1]. Ordered by Magistrate Judge F.A. Gossett. (SMN) (Entered: 01/31/2017)   |
| 02/10/2017 | <u>6</u>  | CORPORATE DISCLOSURE STATEMENT pursuant to Fed. R. Civ. P. 7.1 by Attorney Torrey J. Gerdes on behalf of Defendant Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 02/10/2017)   |
| 02/10/2017 | <u>7</u>  | CORPORATE DISCLOSURE STATEMENT pursuant to Fed. R. Civ. P. 7.1 identifying Corporate Parent Hy-Vee, Inc., Corporate Parent Hy-Vee, Inc. for Amber Enterprises, Inc.. by Attorney Torrey J. Gerdes on behalf of Defendants Amber Enterprises, Inc., Hy-Vee, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 02/10/2017)   |
| 02/28/2017 | <u>8</u>  | UNOPPOSED MOTION for Extension of Time to File a Responsive Pleading by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 02/28/2017)  |
| 02/28/2017 | <u>9</u>  | TEXT ORDER granting <u>8</u> Unopposed Motion for Extension of Time to File a Responsive Pleading. Defendants shall have an extension of time to March 3, 2017, to file an answer or otherwise respond to the Complaint. Ordered by Magistrate Judge F.A. Gossett. (SMN) (Entered: 02/28/2017)   |
| 03/03/2017 | <u>10</u> | ANSWER to Notice of Removal Complaint regarding: Notice of Removal Attorney - Complaint, <u>1</u> by Amber Enterprises, Inc. (Gerdes, Torrey) (Entered: 03/03/2017)  |
| 03/03/2017 | <u>11</u> | ANSWER to Notice of Removal Complaint regarding: Notice of Removal Attorney - Complaint, <u>1</u> by Hy-Vee, Inc. (Gerdes, Torrey) (Entered: 03/03/2017)   |
| 03/03/2017 | <u>12</u> | ANSWER to Notice of Removal Complaint regarding: Notice of Removal Attorney - Complaint, <u>1</u> by Mike Agostino (Gerdes, Torrey) (Entered: 03/03/2017)  |
| 03/06/2017 | <u>13</u> | SCHEDULING LETTER-CONSENT setting the Rule 26 Meeting Report and Consent Deadlines for 4/5/2017. Please use the 12/1/2016 revised "Form 35 (Rule 26(f)) Report" available on the court's website, <a href="http://www.ned.uscourts.gov">www.ned.uscourts.gov</a> . Ordered by Magistrate Judge F.A. Gossett. (ARL, ) (Entered: 03/06/2017)   |
| 03/21/2017 | <u>14</u> | NOTICE of Intent to Serve Subpoena to Produce Records by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey (Hurst, Jamie) (Entered: 03/21/2017)   |
| 04/05/2017 | <u>15</u> | REPORT of Rule 26(f) Planning Meeting by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey)   |

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|            |           | (Entered: 04/05/2017)  |
| 04/05/2017 | <u>16</u> | TEXT ORDER: Pursuant to General Order 2010-11, the parties did not timely consent, in writing, to disposition of the case by a magistrate judge. Case reassigned to Judge Robert F. Rossiter, Jr. and Magistrate Judge Susan M. Bazis. Ordered by Deputy Clerk. (KLF) (Entered: 04/06/2017)  |
| 04/06/2017 | <u>17</u> | INITIAL PROGRESSION ORDER - Counsel shall notify the undersigned magistrate judge by joint or separate letters by June 5, 2017 addressing mediation requirements. A telephone conference with the assigned magistrate judge will be held on July 5, 2017, at 10:00 a.m., for the purpose of reviewing the preparation of the case to date and the scheduling of the case to trial. Plaintiff's counsel shall initiate the call to the court at 402-661-7343. (At the request of the parties, the conference may be held in chambers). Trial is tentatively set for the month of December, 2018, and is tentatively scheduled for 4-5 trial days. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 04/06/2017) |
| 05/05/2017 | <u>18</u> | ATTORNEY LETTER by Clerk that Attorney Raymond R. Aranza has not paid the biennial assessment. If the requested action is not taken within fifteen (15) days of the date of this letter, this matter will be referred to the assigned magistrate judge for the entry of a show cause order. (KLF) (Entered: 05/05/2017)  |
| 05/11/2017 | <u>19</u> | NOTICE of <i>Serving Plaintiff's Rule 26 Disclosures</i> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey (Hurst, Jamie) (Entered: 05/11/2017)  |
| 05/15/2017 | <u>20</u> | Certificate of Service for Defendants Rule 26a1 Disclosures by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 05/15/2017)   |
| 05/18/2017 | <u>21</u> | ATTORNEY LETTER by Clerk that Attorney Jamie M. Hurst has not paid the biennial assessment. If the requested action is not taken within fifteen (15) days of the date of this letter, this matter will be referred to the assigned magistrate judge for the entry of a show cause order. (LAC) (Entered: 05/18/2017)   |
| 06/15/2017 | <u>22</u> | AMENDED ANSWER to Complaint with jury demand regarding: Notice of Removal Attorney - Complaint, <u>1</u> by Mike Agostino (Gerdes, Torrey) (Entered: 06/15/2017)   |
| 06/15/2017 | <u>23</u> | AMENDED ANSWER to Complaint with jury demand regarding: Notice of Removal Attorney - Complaint, <u>1</u> by Hy-Vee, Inc. (Gerdes, Torrey) (Entered: 06/15/2017)  |
| 06/30/2017 | <u>24</u> | RESTRICTED CASE CONFERENCE INSTRUCTIONS. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 06/30/2017)  |
| 06/30/2017 | <u>25</u> | TEXT ORDER SETTING HEARING: The Planning Conference in this matter is scheduled for July 5, 2017 at 10:00 a.m. by telephone before Magistrate Judge Susan M. Bazis. Conference instructions are located at Filing No. <u>24</u> . Ordered by Magistrate Judge Susan M. Bazis. (RMW) (Entered: 06/30/2017)  |
| 07/05/2017 | <u>26</u> | ORDER SETTING FINAL SCHEDULE FOR PROGRESSION OF CASE - All depositions, whether or not they are intended to be used at trial, shall be completed by July 31, 2018. The Final Pretrial Conference with the assigned magistrate judge is set for November 19, 2018, at 10:00 a.m. in chambers, 111 South 18th Plaza, Suite 2271, Roman L. Hruska United States Courthouse, Omaha, Nebraska. A five (5) day jury trial is set to commence, at the Court's call, during the week of December 10, 2018, in Omaha, Nebraska, before the Honorable Robert F. Rossiter, Jr., United States District Judge.   |



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|            |           | Unless otherwise ordered, jury selection shall be at the commencement of trial. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 07/05/2017)  |
| 07/14/2017 | <u>27</u> | NOTICE of <i>Serving Discovery Requests to Defendants</i> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey (Hurst, Jamie) (Entered: 07/14/2017)   |
| 11/08/2017 | <u>28</u> | JOINT MOTION for Protective Order by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Protective Order)(Gerdes, Torrey) (Entered: 11/08/2017)  |
| 11/09/2017 | <u>29</u> | PROTECTIVE ORDER - This matter is before the Court on the parties' Joint Stipulation and Motion for Protective Order. (Filing No. <u>28</u> .) The motion is granted. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 11/09/2017)  |
| 11/22/2017 | <u>30</u> | NOTICE of <i>Service of Defendants Responses to Requests for Production of Documents (first set)</i> by Defendants Mike Agostino, Amber Enterprises, Inc., and Hy-Vee Inc. by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc. (Gerdes, Torrey) (Entered: 11/22/2017)  |
| 01/08/2018 | <u>31</u> | NOTICE of <i>Serving Discovery Requests to Defendants</i> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey (Hurst, Jamie) (Entered: 01/08/2018)   |
| 03/05/2018 | <u>32</u> | Certificate of <i>Service</i> by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 03/05/2018)   |
| 03/19/2018 | <u>33</u> | Certificate of <i>Service of Defendant's Interrogatories, Requests for Production of Documents, and Requests for Admissions to the Plaintiff</i> by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 03/19/2018)  |
| 03/19/2018 | <u>34</u> | NOTICE of Appearance by Attorney Christopher M. Schmidt on behalf of Defendant Amber Enterprises, Inc. (Schmidt, Christopher) (Entered: 03/19/2018)  |
| 03/28/2018 | <u>35</u> | UNOPPOSED MOTION to Withdraw as Attorney by Attorney Gail S. Perry on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Perry, Gail) (Entered: 03/28/2018)  |
| 03/29/2018 | 36        | TEXT ORDER granting <u>35</u> Gail Perry's Unopposed Motion to Withdraw as Attorney. Gail Perry is hereby terminated as counsel of record in this action. Ordered by Magistrate Judge Susan M. Bazis. (LRH) (Entered: 03/29/2018)  |
| 07/31/2018 | <u>37</u> | JOINT MOTION to Continue by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 07/31/2018)  |
| 08/02/2018 | <u>38</u> | AMENDED ORDER SETTING FINAL SCHEDULE FOR PROGRESSION OF CASE granting Joint Motion to Extend Progression Deadlines <u>37</u> . All depositions, whether or not they are intended to be used at trial, shall be completed by October 15, 2018. The Final Pretrial Conference with the assigned magistrate judge is set for March 15, 2019, at 11:00 a.m. in chambers, 111 South 18th Plaza, Suite 2271, Roman L. Hruska United States Courthouse, Omaha, Nebraska. A five (5) day jury trial is set to commence, at the Court's call, during the week of April 8, 2019, in Omaha, Nebraska, before the Honorable Robert F. Rossiter, Jr., United States District Judge. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 08/02/2018) |
| 08/31/2018 | 40        | TEXT ORDER - Plaintiff filed a Motion to Compel 39 without first contacting the chambers of the undersigned magistrate as required by the Final Progression Order <u>26</u> .  |

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|            |           | Therefore, Plaintiff's Motion to Compel will be stricken. Ordered by Magistrate Judge Susan M. Bazis. (LRH) (Entered: 08/31/2018)   |
| 09/04/2018 | <u>41</u> | TEXT ORDER: A discovery dispute has arisen in this case. A telephone conference will be held on 9/19/2018 at 11:00 AM by Telephone before Magistrate Judge Susan M. Bazis. Case conference instructions are found at Filing No. 24. The parties shall complete the discovery dispute form previously emailed to counsel no later than 9/13/18 and email it to bazis@ned.uscourts.gov. Defendant may submit a short position statement (no longer than 2 pages) to bazis@ned.uscourts.gov no later than 9/13/18. Ordered by Magistrate Judge Susan M. Bazis. (RMW) (Entered: 09/04/2018)   |
| 09/13/2018 | <u>42</u> | TEXT ORDER: An additional discovery dispute has arisen in this case. The telephone conference previously scheduled for 9/19/2018 is continued to 9/28/18 at 11:00 AM by Telephone before Magistrate Judge Susan M. Bazis. Case conference instructions are found at Filing No. 24. The parties shall complete two discovery dispute forms (one for each dispute). The discovery dispute forms were previously emailed to counsel. The completed forms should be emailed to bazis@ned.uscourts.gov. no later than 9/24/18. The parties may also submit short position statements (no longer than 2 pages) to bazis@ned.uscourts.gov no later than 9/24/18. Ordered by Magistrate Judge Susan M. Bazis. (RMW) (Entered: 09/13/2018) |
| 09/28/2018 | <u>43</u> | TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Susan M. Bazis. Telephone Conference held on 9/28/2018. Order to be issued. (LRH) (Entered: 09/28/2018)  |
| 09/28/2018 | <u>44</u> | ORDER - regarding telephone conference regarding a discovery dispute was held before the undersigned on September 28, 2018. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 09/28/2018)   |
| 09/28/2018 | <u>45</u> | RESTRICTED AUDIO FILE (25.0 MB) regarding Telephone Conference 43 held on 09/28/2018 at 11:03 a.m. before Magistrate Judge Susan M. Bazis. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(e). (MBM) (Entered: 10/01/2018)   |
| 10/02/2018 | <u>46</u> | Certificate of Service by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 10/02/2018)   |
| 12/03/2018 | <u>47</u> | JOINT MOTION to Extend by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 12/03/2018)   |
| 12/04/2018 | <u>48</u> | SECOND AMENDED ORDER SETTING FINAL SCHEDULE FOR PROGRESSION OF CASE - All depositions, whether or not they are intended to be used at trial, shall be completed by February 15, 2019. The Final Pretrial Conference with the assigned magistrate judge is set for July 23, 2019, at 11:00 a.m. in chambers, 111 South 18th Plaza, Suite 2271, Roman L. Hruska United States Courthouse, Omaha, Nebraska. A five (5) day jury trial is set to commence, at the Court's call, during the week of August 12, 2019, in Omaha, Nebraska, before the Honorable Robert F. Rossiter, Jr., United States District Judge. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 12/04/2018)   |
| 12/11/2018 | <u>49</u> | NOTICE of <i>Serving Discovery Responses</i> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey (Hurst, Jamie) (Entered: 12/11/2018)   |
| 01/23/2019 | <u>50</u> | Certificate of Service for Defendants Supplemental Discovery Responses by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 01/23/2019)   |
| 02/01/2019 | <u>51</u> | NOTICE of <i>Serving Discovery Requests to Defendant (Third Set)</i> by Attorney Jamie M.   |

|            |           |   |
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|            |           | Hurst on behalf of Plaintiff Lana L. Starkey (Hurst, Jamie) (Entered: 02/01/2019)   |
| 02/22/2019 | <u>52</u> | Certificate of Service for Defendants' Requests for Production of Documents (Third Set) to the Plaintiff by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 02/22/2019)   |
| 03/18/2019 | <u>53</u> | Certificate of Service for Defendants Responses to Plaintiff Requests for Production of Documents (Third Set) by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 03/18/2019)  |
| 03/29/2019 | <u>54</u> | JOINT MOTION to Extend Progression Deadlines Order on Motion to Extend,, <u>48</u> by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 03/29/2019)   |
| 04/01/2019 | <u>55</u> | THIRD AMENDED ORDER SETTING FINAL SCHEDULE FOR PROGRESSION OF CASE - This matter is before the Court on the parties' Joint Motion to Extend Progression Deadlines. (Filing No. <u>54</u> .) This motion is granted. All depositions, whether or not they are intended to be used at trial, shall be completed by May 31, 2019. The Final Pretrial Conference with the assigned magistrate judge is set for December 23, 2019, at 10:00 a.m. in chambers, 111 South 18th Plaza, Suite 2271, Roman L. Hruska United States Courthouse, Omaha, Nebraska. A five (5) day jury trial is set to commence, at the Court's call, during the week of January 13, 2020, in Omaha, Nebraska, before the Honorable Robert F. Rossiter, Jr., United States District Judge. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 04/01/2019) |
| 04/03/2019 | <u>56</u> | NOTICE to Take Deposition of Lana Starkey (Videotaped) by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc. (Gerdes, Torrey) (Entered: 04/03/2019)   |
| 04/17/2019 | <u>57</u> | NOTICE to Take Deposition of Lana Starkey Amended Notice to take the Videotaped Deposition of Lana Starkey by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc. (Gerdes, Torrey) (Entered: 04/17/2019)   |
| 04/17/2019 | <u>58</u> | NOTICE to Take Deposition of Mike Agostino by Attorney Raymond R. Aranza on behalf of Plaintiff Lana L. Starkey (Aranza, Raymond) (Entered: 04/17/2019)   |
| 04/26/2019 | <u>59</u> | Certificate of Service for Defendants 3rd Set of Supplemental Responses to Requests for Production of Documents from Plaintiff (Second Set), Defendants Responses to Plaintiff's 4th Set of Requests for Production of Documents, and Defendants Responses to Requests for Admissions by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 04/26/2019)  |
| 04/29/2019 | <u>60</u> | Certificate of Service for Defendant Amber Pharmacy's Requests for Production of Documents to the Plaintiff by Attorney Torrey J. Gerdes on behalf of Defendant Amber Enterprises, Inc..(Gerdes, Torrey) (Entered: 04/29/2019)  |
| 04/29/2019 | <u>61</u> | NOTICE to Take Deposition of Cindy Stegman by Attorney Raymond R. Aranza on behalf of Plaintiff Lana L. Starkey (Aranza, Raymond) (Entered: 04/29/2019)   |
| 05/17/2019 | <u>62</u> | NOTICE to Take Deposition of Molly Gard by Attorney Raymond R. Aranza on behalf of Plaintiff Lana L. Starkey (Aranza, Raymond) (Entered: 05/17/2019)  |
| 05/17/2019 | <u>63</u> | NOTICE to Take Deposition of Aaron Wiese by Attorney Raymond R. Aranza on behalf of Plaintiff Lana L. Starkey (Aranza, Raymond) (Entered: 05/17/2019)   |
| 05/17/2019 | <u>64</u> | NOTICE to Take Deposition of Lindsay Knoop by Attorney Raymond R. Aranza on behalf of Plaintiff Lana L. Starkey (Aranza, Raymond) (Entered: 05/17/2019)   |
| 07/10/2019 | <u>65</u> | MOTION for Summary Judgment by Attorney Torrey J. Gerdes on behalf of Defendants  |

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|            |           | Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 07/10/2019)   |
| 07/10/2019 | <u>66</u> | MOTION to Restrict pursuant to the E-Government Act by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 07/10/2019)  |
| 07/10/2019 | <u>67</u> | RESTRICTED DOCUMENT regarding MOTION to Restrict pursuant to the E-Government Act <u>66</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 07/10/2019)   |
| 07/10/2019 | <u>68</u> | RESTRICTED DOCUMENT regarding MOTION to Restrict pursuant to the E-Government Act <u>66</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..<br>(Attachments:<br># <u>1</u> Exhibit Affidavit A. Wiese,<br># <u>2</u> Exhibit Deposition Transcript L. Starkey,<br># <u>3</u> Exhibit Deposition Exhibits L. Starkey,<br># <u>4</u> Exhibit Deposition Transcript M. Agostino,<br># <u>5</u> Exhibit Deposition Exhibits M. Agostino,<br># <u>6</u> Exhibit Deposition Transcript A. Wiese,<br># <u>7</u> Exhibit Deposition Exhibits A. Wiese,<br># <u>8</u> Exhibit Deposition Transcript M. Gard,<br># <u>9</u> Exhibit Deposition Transcript L. Knoop,<br># <u>10</u> Exhibit Deposition Exhibits L. Knoop,<br># <u>11</u> Exhibit Deposition Transcript C. Stegman)(Gerdes, Torrey) (Entered: 07/10/2019) |
| 07/10/2019 | <u>69</u> | ATTACHMENT - CONTINUED regarding MOTION for Summary Judgment <u>65</u> .<br>( <i>Exhibit 1 identified on Defendants Index of Evidence in support of Motion for Summary Judgment</i> ) by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 07/10/2019)  |
| 07/11/2019 | 70        | TEXT ORDER granting <u>66</u> Motion to Restrict Access. Access to Filing Nos. 67 and 68 shall remain restricted to case participants and the Court. Ordered by Magistrate Judge Susan M. Bazis. (LRH) (Entered: 07/11/2019)  |
| 07/26/2019 | <u>71</u> | UNOPPOSED MOTION to Extend <i>Response Deadlines</i> MOTION for Summary Judgment <u>65</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey.(Hurst, Jamie) (Entered: 07/26/2019)   |
| 07/29/2019 | 72        | TEXT ORDER granting <u>71</u> Unopposed Motion for Extension of Time. Plaintiff shall respond to Defendants' Motion for Summary Judgment <u>65</u> by August 14, 2019. Defendants shall file a reply brief by August 29, 2019. Ordered by Magistrate Judge Susan M. Bazis. (LRH) (Entered: 07/29/2019)  |
| 08/09/2019 | 73        | TEXT ORDER - A discovery dispute has arisen in this case. A telephone conference to discuss the matter will be held on Tuesday, 8/13/19 at 2:00 p.m. Case conference instructions are found at Filing No. 24. By 12:00 p.m. on Monday, August 12, 2019, the parties shall each submit a brief position statement (no longer than 2 pages) to the Court at bazis@ned.uscourts.gov. Ordered by Magistrate Judge Susan M. Bazis. (RMW) Modified on 8/12/2019 (RMW). (Entered: 08/09/2019)  |

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| 08/09/2019 | <u>74</u> | TEXT ORDER: The parties have advised the Court they have resolved their dispute and therefore the telephone conference on 8/13/19 is canceled. Ordered by Magistrate Judge Susan M. Bazis. (RMW) (Entered: 08/09/2019)  |
| 08/14/2019 | <u>75</u> | MOTION to Restrict pursuant to the E-Government Act by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. (Hurst, Jamie) (Entered: 08/14/2019)   |
| 08/14/2019 | <u>76</u> | RESTRICTED BRIEF in opposition to MOTION for Summary Judgment <u>65</u> , MOTION to Restrict pursuant to the E-Government Act <u>75</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order 84 (CS). (Entered: 08/14/2019)  |
| 08/14/2019 | <u>77</u> | RESTRICTED INDEX in support of MOTION to Restrict pursuant to the E-Government Act <u>75 Part 1 - Declarations</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. (Attachments: # <u>1</u> Affidavit Starkey, # <u>2</u> Affidavit Langenfeld, # <u>3</u> Affidavit Stanley, # <u>4</u> Affidavit Keyes) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order 84 (CS). (Entered: 08/14/2019)  |
| 08/14/2019 | <u>78</u> | RESTRICTED INDEX in support of MOTION to Restrict pursuant to the E-Government Act <u>75 Part 2 - Deposition Transcripts</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. (Attachments: # <u>1</u> Exhibit Deposition of Starkey, # <u>2</u> Exhibit Deposition of Agostino, # <u>3</u> Exhibit Deposition of Stegman, # <u>4</u> Exhibit Deposition of Wiese, # <u>5</u> Exhibit Deposition of Knoop, # <u>6</u> Exhibit Deposition of Gard) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order 84 (CS). (Entered: 08/14/2019) |
| 08/14/2019 | <u>79</u> | RESTRICTED INDEX in support of MOTION to Restrict pursuant to the E-Government Act <u>75 Part 3 - NEOC Exhibits</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. (Attachments: # <u>1</u> Exhibit NEOC 2, # <u>2</u> Exhibit NEOC 6, # <u>3</u> Exhibit NEOC 7, # <u>4</u> Exhibit NEOC 11, # <u>5</u> Exhibit NEOC 12, # <u>6</u> Exhibit NEOC 15, # <u>7</u> Exhibit NEOC 18, # <u>8</u> Exhibit NEOC 19) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order [84 (CS). (Entered: 08/14/2019)                                  |
| 08/14/2019 | <u>80</u> | RESTRICTED INDEX in support of MOTION to Restrict pursuant to the E-Government Act <u>75 Part 4 - Exhibits A-J</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L.  |

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|            |           | <p>Starkey. (Attachments:<br/> # <u>1</u> Exhibit A,<br/> # <u>2</u> Exhibit B,<br/> # <u>3</u> Exhibit C,<br/> # <u>4</u> Exhibit D,<br/> # <u>5</u> Exhibit E,<br/> # <u>6</u> Exhibit F,<br/> # <u>7</u> Exhibit G,<br/> # <u>8</u> Exhibit H,<br/> # <u>9</u> Exhibit I,<br/> # <u>10</u> Exhibit J) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a).(Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order 84 (CS). (Entered: 08/14/2019)</p>  |
| 08/14/2019 | <u>81</u> | <p>RESTRICTED INDEX in support of MOTION to Restrict pursuant to the E-Government Act <u>75 Part 4 - Exhibits K-CC</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. (Attachments:<br/> # <u>1</u> Exhibit K,<br/> # <u>2</u> Exhibit L,<br/> # <u>3</u> Exhibit M,<br/> # <u>4</u> Exhibit N,<br/> # <u>5</u> Exhibit O,<br/> # <u>6</u> Exhibit P,<br/> # <u>7</u> Exhibit Q,<br/> # <u>8</u> Exhibit R,<br/> # <u>9</u> Exhibit S,<br/> # <u>10</u> Exhibit T,<br/> # <u>11</u> Exhibit U,<br/> # <u>12</u> Exhibit V,<br/> # <u>13</u> Exhibit W,<br/> # <u>14</u> Exhibit X,<br/> # <u>15</u> Exhibit Y,<br/> # <u>16</u> Exhibit Z,<br/> # <u>17</u> Exhibit AA,<br/> # <u>18</u> Exhibit BB,<br/> # <u>19</u> Exhibit CC) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a).(Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order 84 (CS). (Entered: 08/14/2019)</p> |
| 08/14/2019 | <u>82</u> | <p>RESTRICTED INDEX in support of MOTION to Restrict pursuant to the E-Government Act <u>75 Part 5 - Exhibits DD-OO</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. (Attachments:<br/> # <u>1</u> Exhibit DD,<br/> # <u>2</u> Exhibit EE,<br/> # <u>3</u> Exhibit FF,<br/> # <u>4</u> Exhibit GG,<br/> # <u>5</u> Exhibit HH,<br/> # <u>6</u> Exhibit II,<br/> # <u>7</u> Exhibit JJ,<br/> # <u>8</u> Exhibit KK,<br/> # <u>9</u> Exhibit LL,<br/> # <u>10</u> Exhibit MM,<br/> # <u>11</u> Exhibit NN,</p>   |

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|            |           | # <u>12</u> Exhibit OO) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order 84 (CS). (Entered: 08/14/2019)  |
| 08/14/2019 | <u>83</u> | RESTRICTED INDEX in support of MOTION to Restrict pursuant to the E-Government Act <u>75 Part 6 - Deposition Exhibits 1-34</u> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. (Attachments: # <u>1</u> Exhibit Deposition Exhibits 1-17, # <u>2</u> Exhibit Deposition Exhibits 18-27, # <u>3</u> Exhibit Deposition Exhibits 28-29, # <u>4</u> Exhibit Deposition Exhibits 30-33, # <u>5</u> Exhibit Deposition Exhibit 34) ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). (Hurst, Jamie) Modified on 8/16/2019 to add restricted text pursuant to order 84 (CS). (Entered: 08/14/2019) |
| 08/15/2019 | <u>84</u> | TEXT ORDER granting <u>75</u> Motion to Restrict Access. Access to Filing Nos. 76 through 83 shall be restricted to case participants and the Court. Ordered by Magistrate Judge Susan M. Bazis. (LRH) (Entered: 08/15/2019)   |
| 08/28/2019 | <u>85</u> | MOTION to Extend ( <i>Defendants Motion for Enlargement of Time to File a Reply Brief in Support of Defendants Motion for Summary Judgment</i> ) by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 08/28/2019)  |
| 08/28/2019 | <u>86</u> | AMENDED MOTION to Extend ( <i>Defendants Amended Motion for Enlargement of Time to File a Reply Brief in support of Defendants Motion for Summary Judgment</i> ) by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 08/28/2019)  |
| 08/29/2019 | <u>87</u> | TEXT ORDER granting <u>86</u> Motion to Extend. Defendants shall file their reply brief by September 5, 2019. Ordered by Magistrate Judge Susan M. Bazis. (LRH) (Entered: 08/29/2019)  |
| 08/29/2019 | <u>88</u> | MOTION to Restrict pursuant to the E-Government Act by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 08/29/2019)   |
| 08/29/2019 | <u>89</u> | RESTRICTED DOCUMENT regarding MOTION to Restrict pursuant to the E-Government Act <u>88</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CIVIL PROCEDURE 5.2(a). - by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc..(Gerdes, Torrey) (Entered: 08/29/2019)  |
| 08/30/2019 | <u>90</u> | TEXT ORDER granting <u>88</u> Motion to Restrict. Access to Filing No. 89 shall remain restricted to case participants and the Court. Ordered by Magistrate Judge Susan M. Bazis. (LRH) (Entered: 08/30/2019)  |
| 09/05/2019 | <u>91</u> | TEXT REASSIGNMENT ORDER - that in the interest of judicial economy, this case is reassigned to Judge Brian C. Buescher for disposition. The magistrate judge remains assigned to the case for judicial supervision and processing of all pretrial matters. Ordered by Chief Judge John M. Gerrard. (DKM) (Entered: 09/05/2019)   |
| 10/18/2019 | <u>92</u> | TEXT ORDER: On the Court's own motion, the Pretrial Conference set for 12/23/2019 will commence at 9:00 AM in Chambers before Magistrate Judge Susan M.  |

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|            |            | Bazis. Ordered by Magistrate Judge Susan M. Bazis. (RMW) (Entered: 10/18/2019)  |
| 11/13/2019 | <u>93</u>  | LETTER regarding Pretrial Conference. (KLF) (Entered: 11/13/2019)   |
| 11/15/2019 | <u>94</u>  | MEMORANDUM AND ORDER - Defendants' Motion for Summary Judgment (Filing <u>65</u> ) is granted as to Plaintiff's second cause of action containing ADEA and NADEA claims, fourth cause of action containing IIED common law claims, and fifth cause of action containing COBRA and ERISA claims. Defendants' Motion for Summary judgment is granted on Plaintiff's Title VII claim contained within her first cause of action. Plaintiff's third cause of action containing a NFEPA retaliation claim is merged with her NFEPA retaliation claim contained within her first cause of action. Defendants' Motion for Summary judgment is granted as to defendants Hy-Vee and Agostino on Plaintiff's merged NFEPA claims contained in her first and third causes of action. Defendants' Motion for Summary judgment is denied as to defendant Amber on Plaintiff's merged NFEPA claims contained in her first and third causes of action. Defendants Hy-Vee and Agostino are terminated as parties to the action. This case is remanded to the District Court of Douglas County, Nebraska, at Case Number CI 16-10363. The clerk's office is directed to send a copy of this Order to the Clerk of the District Court of Douglas County, Nebraska, 1701 Farnam Street, Omaha, Nebraska 68183. Ordered by Judge Brian C. Buescher. (KLF) (Entered: 11/15/2019) |
| 11/15/2019 | <u>95</u>  | JUDGMENT - In accordance with the accompanying Memorandum and Order, the case is dismissed in its entirety as to defendants Hy-Vee, Inc., and Mike Agostino, individually. As to defendant Amber Enterprises, Inc., the case is remanded to the District Court of Douglas County, Nebraska, for further proceedings. Ordered by Judge Brian C. Buescher. (KLF) (Entered: 11/15/2019)  |
| 12/13/2019 | <u>96</u>  | NOTICE OF APPEAL regarding Order on Motion for Summary Judgment,,,,, <u>94</u> , Judgment,, Add and Terminate Parties, <u>95</u> by Attorney Torrey J. Gerdes on behalf of Defendants Mike Agostino, Amber Enterprises, Inc., Hy-Vee, Inc.. Filing fee \$ 505, receipt number ANEDC-4075577. (Gerdes, Torrey) (Entered: 12/13/2019)   |
| 12/16/2019 | <u>97</u>  | NOTIFICATION OF APPEAL AND NOA SUPPLEMENT by Clerk to USCA regarding Notice of Appeal to USCA <u>96</u> , Memorandum and Order <u>94</u> , Judgment <u>95</u> . Notice of Appeal filed on 12/13/2019 by Defendant Amber Enterprises, Inc. (TCL) (Entered: 12/16/2019)   |
| 12/17/2019 | <u>98</u>  | SCHEDULING LETTER from USCA - 8th Circuit (19-3688) as to Notice of Appeal to USCA, <u>96</u> . (TCL) (Entered: 12/17/2019)   |
| 12/23/2019 | <u>99</u>  | NOTICE OF APPEAL regarding Order on Motion for Summary Judgment,,,,, <u>94</u> , Judgment,, Add and Terminate Parties, <u>95</u> <i>Cross-Appeal</i> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey. Filing fee \$ 505, receipt number ANEDC-4081255. (Hurst, Jamie) (Entered: 12/23/2019)   |
| 12/23/2019 | <u>100</u> | NOTIFICATION OF APPEAL AND NOA SUPPLEMENT by Clerk to USCA regarding Order <u>94</u> , Judgment <u>95</u> , Notice of Appeal to USCA <u>99</u> . Notice of Appeal filed on 12/23/19 by Plaintiff Lana L. Starkey. (ADB) (Entered: 12/23/2019)   |
| 12/26/2019 | <u>101</u> | Letter by Clerk-USCA (19-3757) regarding Notice of Cross Appeal to USCA, <u>99</u> . (JAB) (Entered: 12/26/2019)  |
| 12/26/2019 | <u>102</u> | SCHEDULING LETTER from USCA - 8th Circuit regardig Notice of Cross Appeal to USCA <u>99</u> . (JAB) (Entered: 12/26/2019)   |
| 01/07/2020 | <u>103</u> | Certificate regarding Notice of Appeal to USCA, <u>96</u> , Notice of Appeal to USCA, <u>99</u> <i>Certificate of No Transcript Order</i> by Attorney Jamie M. Hurst on behalf of Plaintiff Lana L. Starkey.(Hurst, Jamie) (Entered: 01/07/2020)  |



| <b>PACER Service Center</b> |               |                         |                       |
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| <b>Description:</b>         | Docket Report | <b>Search Criteria:</b> | 8:17-cv-00029-BCB-SMB |
| <b>Billable Pages:</b>      | 11            | <b>Cost:</b>            | 1.10                  |