

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA**

**KERRY DOBSON**, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

**UNITED OF OMAHA LIFE  
INSURANCE COMPANY**,

Defendant.

Case No. 8:24-CV-00306-BCB-MDN

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**JOINT MOTION TO STAY**

Plaintiff Kerry Dobson (“Plaintiff”) and Defendant United of Omaha Life Insurance Company (“Defendant”) (collectively, the “Parties”), by and through their undersigned counsel, hereby file this Joint Motion to Stay requesting an order staying these proceedings and, in support thereof, state as follows:

1. Plaintiff filed her Class Action Complaint in this action on August 5, 2024 (ECF No. 1) alleging that Defendant was the victim of a cyberattack that took place in April 2024 and, as a result, her and putative class members’ sensitive information compromised. By joining this Motion to Stay, Defendant does not admit any of the allegations in Plaintiff’s Complaint or any other complaint filed related to the cyberattack and expressly reserves all rights and defenses.

2. At least two other related putative class action lawsuits have been filed against Defendant in state and federal court related to the cyberattack, each asserting similar causes of action on behalf of overlapping putative classes. *See Viverette v. United of Omaha Life Insurance Company*, No. 8:24-cv-00317 (D. Neb.) (filed Aug 13, 2024) (“*Viverette*”); *Skinner v. United of*

*Omaha Life Insurance Company*, No. D01CI240006396, (Douglas Cty) (filed Aug. 14, 2024) (“*Skinner*”).

3. Through a series of arm’s length settlement negotiations, counsel for Plaintiff Dobson, Defendant, and all plaintiffs in the related actions have reached an agreement in principle to settle the actions and fully and finally resolve all claims against Defendant arising from the alleged cyberattack. Plaintiffs intend to file papers in the *Skinner* action seeking preliminary approval of the settlement

4. Plaintiff Dobson qualifies as a member of the proposed settlement class in the *Skinner* action. As part of the proposed settlement of that action, Plaintiff Dobson has agreed to be bound by the terms thereof and, upon final approval of the settlement, Plaintiff Dobson’s claims in this action will be fully and finally settled. In the event that the Parties do not obtain approval of the settlement in *Skinner*, the Parties will inform this Court and request a case management conference.

5. Thus, in light of the Parties’ agreement in principle to settle the related actions and in the interests of judicial economy, the Parties respectfully request that this action be stayed for all purposes until final approval of the settlement in the *Skinner* action, including but not limited to, for Defendant to respond to the Complaint in this matter and for all case management deadlines, as well as any deadlines under the Federal Rules and District of Nebraska Local Rules, in order to permit the Parties to focus their efforts on preparing the settlement agreement and seeking preliminary and final approval in the *Skinner* action.

6. The Parties will provide a status update to this Court within sixty (60) days of the entry of the stay order. By that time, the parties anticipate the filing of the motion for preliminary approval in the *Skinner* action.

7. This request is made in good faith and not for purposes of delay.

WHEREFORE, for the foregoing reasons and for good cause shown, the parties respectfully request the Court grant this Motion and stay this matter.

Respectfully submitted, this 23rd of August 2024.

/s/ Gary M. Klinger

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*Counsel for Plaintiff and the Putative Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 23, 2024, I filed the foregoing document with the Court via CM/ECF. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

*/s/ Gary M. Klinger*

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Gary M. Klinger