

## UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE  
500 W. CAPITOL, ROOM D444  
LITTLE ROCK, ARKANSAS 72201-3325  
(501) 604-5140  
Facsimile (501) 604-5149**May 11, 2010**

Mr. David Donovan  
Watts, Donovan & Tilley, P.A.  
200 River Market Ave.  
Suite 200  
Little Rock, AR 72201

Re: *Townsends of Arkansas, Inc. vs. Howard Industries, Inc.* -- 1:08-CV-00029-WRW

Dear Mr. Donovan,

I have received separate Defendant Howard Industries's Motion for Partial Summary Judgment (Doc. No. 19), which was filed on April 21, 2010, and it appears to be well taken.

I assume that since you have not filed a response,<sup>1</sup> you agree with Defendant's position. If you choose not to respond by 5:00 p.m. on Monday, May 24, 2010, I will grant the motion.

Cordially,

/s/ Wm. R. Wilson, Jr.

Original to the Clerk of the Court  
cc: Other Counsel of Record

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<sup>1</sup>The response was due on Monday, May 10, 2010.