

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

FUTUREFUEL CHEMICAL COMPANY

PLAINTIFF

v.

CASE NO. 1:09CV00023 BSM

NATIONAL BIODIESEL BOARD

DEFENDANT

ORDER

On November 12, 2010, plaintiff Futurefuel Chemical Company (“Futurefuel”) moved for reconsideration of the November 2, 2010, order denying its motion to compel. Upon consideration of that motion and defendant National Biodiesel Board’s (“the Board”) response, an order was entered directing the Board to respond to Futurefuel’s allegation that it misrepresented the terms of a proposed settlement offer in an attempt to defeat Futurefuel’s motion to compel. [Doc. No. 49]. Futurefuel’s motion for reconsideration was held in abeyance while the parties briefed the issue. After reviewing the Board’s response and Futurefuel’s reply, it is hereby found that, upon reconsideration, Futurefuel’s motion to compel [Doc. No. 24] should be granted.

Defendant National Biodiesel Board is hereby ordered to fully respond to the interrogatories and requests for production of documents specified in Futurefuel’s motion to compel within thirty days. All objections submitted by the Board are hereby overruled, and Futurefuel’s motion for reconsideration [Doc. No. 47] is granted.

IT IS SO ORDERED this 3rd day of May, 2011.


UNITED STATES DISTRICT JUDGE