

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

ADVOCAT, INC., ET AL.,

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Plaintiffs,

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vs.

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No. 1:10CV00082 SWW

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TERESA BENTON,

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Defendant.

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Order

Before the Court is plaintiffs’ motion for summary judgment. Defendant responded to the motion but asked the Court, pursuant to Fed.R.Civ.P. 56(d), to delay ruling until she has an opportunity to complete discovery and file a supplemental response.

The discovery deadline in the case was May 6, 2011. The motions deadline was June 6, 2011. Plaintiffs filed their motion for summary judgment on June 6, 2011. It appears from the record that the parties agreed to extend discovery and, by her affidavit, defendant establishes that she cannot present facts essential to her opposition to plaintiffs’ motion.

IT IS THEREFORE ORDERED that defendant has until August 18, 2011, to supplement her response to plaintiffs’ motion for summary judgment. Plaintiffs have seven (7) days from the filing of the supplemental response to file any reply. Because of the requested delay, the Court may be unable to rule on the motion for summary judgment much in advance of the October 3, 2011, trial date.

DATED this 25th day of July, 2011.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE