

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

JAMES A. GRAHAM,

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Plaintiff,

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vs.

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No. 1:11CV00020

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ENTERGY ARKANSAS, INC.,

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Defendant.

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Order

Before the Court is defendant’s motion to dismiss to which plaintiff responded. Defendant filed a reply that included exhibits including an affidavit. Because the Court may consider those exhibits in ruling on the motion to dismiss, the Court will treat the motion as one for summary judgment. *See* Fed.R.Civ.P. 12(d). The Court directs the parties to file within fourteen (14) days any evidence it considers pertinent to the motion.

SO ORDERED this 21st day of June, 2011.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE