

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

CURTIS TURNER, Individually and
as Superintendent of the Mineral Springs
School District, *et al.*

PLAINTIFFS

v.

No. 2:16-cv-29-DPM

JOHNNY KEY, Individually and as Commissioner
of the Arkansas Department of Education,
a State Agency, *et al.*

DEFENDANTS

ORDER

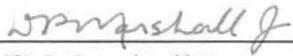
1. The Plaintiffs want to amend their complaint again to shore up their pleading against Hempstead County and to remove some claims against the State Defendants. The State Defendants don't really oppose this amendment; but they want the Court to rule on their motion to dismiss first.

The ends of justice favor allowing the amendment. And despite the inconvenience to the State Defendants, it's more efficient to move this case forward as a whole, not in pieces. The motion, *No. 11*, is therefore granted. FED. R. CIV. P. 15(a)(2). The third amended complaint must be filed by 29 July 2016. The State Defendants' motion to dismiss, *No. 12*, is denied without prejudice as moot. Given that the case will be moving forward on the

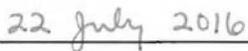
fourth version of the complaint, the Court is unlikely to allow any more substantive changes in the claims. It's time to get to the merits.

2. Motion, No 20, granted. Fitz Hall and Ouida Newton have replaced Toyce Newton and Vicki Saviers on the State Board of Education. The Court directs the Clerk to amend the docket accordingly. FED. R. CIV. P. 25(d).

So Ordered.



D.P. Marshall Jr.
United States District Judge



22 July 2016