

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

THOMAS MARSHALL SULLIVAN

PLAINTIFF

V.

3:09CV0009 JMM

**GARY PRINCE, d/b/a
PRINCE CONSTRUCTION**

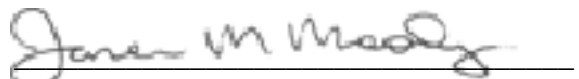
DEFENDANT

ORDER

Pending is the Plaintiff's Motion to Compel Defendant Gary Prince to answer certain interrogatories and to supplement his production of documents. Plaintiff also requests attorneys fees for his time in preparing the motion.

On October 9, 2009, Defendant filed a Notice of Service of Supplemental Responses to Plaintiff's request for production of documents and interrogatories. At the same time, Defendant filed a response to the motion to compel and a brief in support. It appears to the Court that the Defendant has resolved all of the issues which Plaintiff raised in his motion to compel. Accordingly, the motion to compel (Docket # 22) is MOOT. Plaintiff's request for attorneys fees is denied.

IT IS SO ORDERED this 14th day of October, 2009.



James M. Moody
United States District Judge