

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

JOHNNY CHAPPELL

PLAINTIFF

VS.

NO. 3:09-CV-00016-WRW

BILCO COMPANY

DEFENDANT

ORDER

Plaintiff is directed to file an amended and substituted complaint in which all allegations that were resolved in the previous lawsuit between the parties are omitted.

The amended and substituted complaint should be in plain, simple, language for each claim -- no vague allegations.

If Plaintiff wishes to continue with this lawsuit, this amended and substituted complaint must be filed within 20 days of this Order, and served upon Defendant's counsel.

Defendant must file a responsive pleading to the amended and substituted complaint within 10 days service of Plaintiff's amended and substituted complaint.

New motions and responses may thereafter be filed within the time and in the manner prescribed by the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Arkansas.

The case, now set for trial on January 26, 2010, will be reset in due course, assuming Plaintiff files the amended and substituted complaint set forth above.

Brevity and clarity are directed and expected. Transgressions in either area will be met with firm measure.

Defendant's pending Motion for Summary Judgment (Doc. No. 16), and Plaintiff's Motion for Partial Summary Judgment (Doc. No. 19) are DENIED as MOOT.

IT IS SO ORDERED this 12th day of January, 2010.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE