

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

**THELMA CHISM. and  
NATHAN WILLIAMS, on behalf  
of themselves and all other similarly  
situated employees**

**PLAINTIFFS**

**V.**

**CASE NO. 3:09CV00225**

**LIFE STRATEGIES OF ARKANSAS LLC**

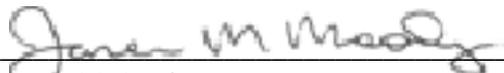
**DEFENDANT**

**ORDER**

Pending is Defendant's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). (Docket # 6). Defendant argues that Plaintiffs' FLSA claim does not meet the pleading requirements of Fed. R. Civ. P. 8(a) and the complaint should be dismissed for failure to state a claim upon which relief can be granted. Plaintiffs have responded and filed an amended complaint.

Plaintiffs' amended complaint appears to cure the defects about which Defendant complains. Accordingly, the Defendant's motion to dismiss is denied without prejudice.

IT IS SO ORDERED this 1<sup>st</sup> day of February, 2010.

  
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James M. Moody  
United States District Judge