

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

MAUDE BOYD

PLAINTIFF

VS.

NO. 3:13CV00247 JM

AIRGAS-MID SOUTH, INC.

**DEFENDANT/THIRD-PARTY
PLAINTIFF**

VS.

**GEORGE HAMMAN; CIVILOGIC, INC.;
HARDY LITTLE AND ASSOCIATES, INC.;
AND BAILEY CONTRACTORS, INC.**

THIRD-PARTY DEFENDANTS

GEORGE HAMMAN AND CIVILOGIC, INC.

COUNTERCLAIMANTS

VS.

AIRGAS-MID SOUTH, INC.

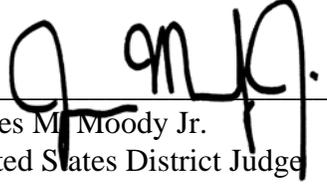
COUNTER-DEFENDANT

ORDER

Pending is the motion for summary judgment filed by Separate Third-Party Defendant, Hardy Little and Associates, Inc. (“Little”), (docket # 27), seeking a dismissal of all claims asserted against it by Airgas-Mid South, Inc. (“Airgas”) in its Third-Party Complaint. Airgas has filed a response and Little has filed a reply. In support of its Response, Airgas includes a Rule 56(d) affidavit stating that it is unable to adequately respond to factual statements contained in the motion and needs additional time to engage in discovery. Additionally, since the filing of the pending motion for summary judgment, Airgis has filed an Amended-Third Party Complaint asserting additional claims of negligence against Little. The Court finds the motion for summary judgment premature, additional discovery may provide Airgas sufficient facts to support its

opposition to the pending motion. The motion will be denied at this time, without prejudice to re-file following the completion of discovery.

IT IS SO ORDERED this 6th day of October, 2014.

A handwritten signature in black ink, appearing to read "J. Moody Jr.", is written over a horizontal line. The signature is stylized and cursive.

James M. Moody Jr.
United States District Judge