

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

M.C. WEST,	*	
Plaintiff,	*	
	*	
vs.	*	No. 4:07cv00789 SWW
	*	
	*	
FREEDOM FINANCIAL, FIRST UNION	*	
NATIONAL BANK, AMERICAN	*	
GENERAL, and MOREQUITY,	*	
	*	
Defendants.	*	

ORDER

Plaintiff M.C. West brings this action pro se against Freedom Financial, First Union National Bank (“First Union”), American General, and Morequity, raising complaints related to a loan she obtained from Freedom Financial in 2000. The defendants that have answered plaintiff’s complaint – American General and Morequity – assert, and plaintiff does not dispute, that American General and Morequity are one defendant and correctly identified as American General Financial Services of Arkansas, Inc. d/b/a Morequity, Inc. (“Morequity”).

Before the Court is what has been docketed as a motion [doc.#112] for Order directing defendants to file release of lien and reimburse plaintiff. This motion, however, essentially goes to the merits of plaintiff’s claims, stating that she has more information proving her claim and stating that she “hopes and prays that the court will order the defendants to file a release of lien and reimburse the plaintiff as well as all other amounts due to the plaintiff for the years of nothing but ignoring the documents and pleas of the plaintiff for corrections (crimes).”

The Court denies plaintiff’s motion (assuming it is one) without prejudice. The Court notes that Morequity has a pending motion for summary judgment before the Court that was filed

July 2, 2009 [doc.#114], and plaintiff has filed a response to Morequity's Statement of Facts. Plaintiff may additionally, within eleven (11) days of the date of entry of this Order, file a response to Morequity's motion for summary judgment and a brief in support in which she argues the merits of her claims.

Also before the Court is a motion [doc.#119] by plaintiff to compel defendants to identify which Freedom Financial Corporation defendants have referenced in their Statement of Fact requesting a response from plaintiff. This motion appears to be moot as plaintiff has filed a response to Morequity's statement of facts in which she apparently recognizes (as she should given the history of this action) the Freedom Financial to which Morequity is referring.¹

IT IS SO ORDERED this 17th day of July 2009.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE

¹ In any case, to the extent this is a discovery motion it is denied as the period for conducting discovery has expired. In addition, the motion is denied for failure to include a statement that the parties conferred in good faith on the issue or issues in dispute and were not able to resolve the dispute without intervention of the Court. *See* Local Rule 7.2(g). Plaintiff was previously ordered to be familiar and comply with the Federal Rules of Civil Procedure and the Local Rules of this Court. *See* Order entered September 24, 2007 [doc.#4].