

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

MARY ANN SHULA

PLAINTIFF

v.

CASE NO. 4:07-CV-00922 BSM

BANK OF AMERICA, N.A.

DEFENDANT

ORDER

Warren A. Stephens requests to intervene in this case (Doc. No. 155) and argues that any award of fees and costs to the defendant should not be assessed to the trust. Because the order granting the defendant's motion for fees and costs (Doc. No. 160) also denies plaintiff Mary Ann Shula's motion to assess the fees and costs against the trust, Stephens's motion is denied as moot. Stephens's motion for leave to file a reply to Shula's response to Stephens's original motion is also denied as moot.

IT IS SO ORDERED this 22nd day of January, 2010.


UNITED STATES DISTRICT JUDGE