

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

**DONOVAN FORD, CARRIE GALAN,  
JAMES GILMER, JUDY MILLS, and  
BILLIE J. NORRIS,  
on behalf of themselves and others similarly situated**

**PLAINTIFFS**

v.

**Case No. 4:08-0509-BSM**

**TOWNENDS OF ARKANSAS, INC.,  
and TOWNSENDS, INC.**

**DEFENDANTS**

**ORDER**

Defendants move for judgment on the pleadings as to counts III and V of the complaint (Doc. No. 110), and plaintiffs do not object; however, they reserve the right to seek redress for these violations within the framework of their other causes of action.

Accordingly, defendants' motion for judgment on the pleadings (Doc. No. 110) is granted and counts III and V of the complaint are dismissed with prejudice.

IT IS SO ORDERED THIS 21st day of January, 2010



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UNITED STATES DISTRICT JUDGE