

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

**UNITED STATES OF AMERICA,
ex rel. ELIZABETH BURROUGHS
And
ELIZABETH BURROUGHS**

PLAINTIFF

V.

4:08CV2757 JMM

**CENTRAL ARKANSAS DEVELOPMENT
COUNCIL, et al**

DEFENDANTS

ORDER

The Motions to Dismiss (Docket # 42¹ and 56) filed by Defendants Joni Jones, Tonya Russell, John Selig and Jamie Morrison are nearly identical to the Motion to Dismiss (Docket # 67) filed by these Defendants on November 13, 2009. In the future, the parties are directed to withdraw previous pleading before filing pleadings which are, in large part, identical to the original. When withdrawal of a pleading is not feasible, the parties should seek leave of Court to substitute and amend pleadings when merely adding a party or adding citations to newly discovered case law. The Motions to Dismiss (Docket # 42 and 56) are DENIED.

As for Plaintiff's motions to amend the Complaint, Plaintiff is directed to consider Local Rule 5.5(e) which states in pertinent part:

A party who moves to amend a pleading shall attach a copy of the amendment to the motion. Any amendment to a pleading, whether filed as a matter of course or upon a motion to amend, *must, except by leave of Court, reproduce the entire pleading as amended, and may not incorporate any prior pleading by reference.*

Rules of the U.S. District Court for the Eastern and Western Districts of Arkansas, Rule 5.5(e).

The Court should not have to read through 3 separate documents to ascertain the allegations and

¹ This motion was filed by Defendants Selig, Jones and Russell.

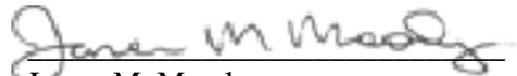
claims made by a plaintiff. Therefore, Plaintiff's motions to amend (Docket # 74 and 80) are DENIED without prejudice.

The Motion for Order to Adopt the Statement of Interest of the United States of America (Docket # 65) is GRANTED.

The motions to conduct discovery prior to the Rule 26(f) meeting (Docket # 64 and 72) are MOOT.

The remaining motions (Docket # 47 and # 67) will be reviewed by separate order.

IT IS SO ORDERED this 6th day of January, 2010.



James M. Moody
United States District Judge