

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

DAVID SMITH, *et al.*

PLAINTIFFS

v.

No. 4:09CV00679 JLH

FRAC TECH SERVICES, LTD.

DEFENDANT

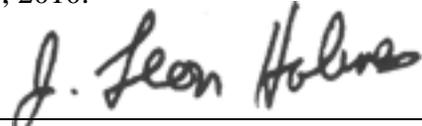
ORDER

Frac Tech Services, Ltd., has filed a motion for partial summary judgment as to the claims of Brady Borden as safety coordinator. The lawyer for the plaintiffs has informed the Court in writing that Borden has no good faith argument to contest the motion. Therefore, the motion for partial summary judgment is GRANTED as to the claims of Brady Borden as safety coordinator. Document #231. Brady Borden's claims brought in his capacity as safety coordinator are dismissed with prejudice. This order does not address Brady Borden's claims brought in his capacity as a service supervisor.

Frac Tech Services has also filed a motion for partial summary judgment as to the claims of Claiborne Lee as health safety manager. The Court has recently granted Claiborne Lee's motion for voluntary non-suit and dismissed his claims with prejudice. Therefore, the motion for partial summary judgment is DENIED AS MOOT. Document #245.

Frac Tech Services filed a motion for partial summary judgment as to the claims of Robert Pulse as central area electronics manager. The Court has recently granted Robert Pulse's motion for voluntary non-suit and dismissed his claims with prejudice. Therefore, the motion for partial summary judgment is DENIED AS MOOT. Document #251.

IT IS SO ORDERED this 28th day of October, 2010.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE