

**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

**AMENDED ORDER**

Yesterday, the Court granted Frac Tech's motion for leave to supplement. Document #337. Shortly thereafter, Frac Tech filed supplements to four separate motions discussed in its motion to supplement. Today, the plaintiffs have informed the Court in writing that they understood the Court's order only to permit Frac Tech to supplement one of these motions. The Court recognizes that it created this confusion by granting the motion to supplement but then mentioning only the service supervisors although the order went beyond that.

The Court finds good cause to amend its order to clarify that Frac Tech's motion to supplement is granted *in toto*. The Court will entertain the supplemental filings relating to each of the four motions referenced in Frac Tech's original motion to supplement. The plaintiffs have seven days from the date of this order to file a response to Frac Tech's supplemental filings concerning the plaintiffs' motion for partial summary judgment as to the class of field engineers. If in reviewing the other motions and supplements to the motions, the Court decides additional information would be helpful, then the Court will request responses at that time and plaintiffs will have seven days from the date of such request to file additional responses.

IT IS SO ORDERED this 2nd day of December, 2010.



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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE