

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

DOCTORS TESTING CENTER, LLC II, et al.

PLAINTIFFS

v.

4:09CV00707-WRW

UNITED STATES OF AMERICA, et al.

DEFENDANTS

ORDER

Pending are Defendant Pinnacle Business Solutions, Inc.'s Motion to Strike and Dismiss Improper Amended Complaint (Doc. No. 38) and Defendant Arkansas Blue Cross and Blue Shield's Motion to Strike and Dismiss Improper Amended Complaint (Doc. No. 40). *Pro se* Plaintiff Ron Davis has responded.¹ Plaintiff Doctor's Testing LLC filed a Notice of Voluntary Dismissal,² and is no longer a party.

Both Motions to Strike the Amended Complaint are based on the fact that Plaintiffs did not ask the Court for leave before filing the Amended Complaint.³ The Motions are DENIED. This ruling in no way affects any other pending motion to dismiss.

IT IS SO ORDERED this 12th day of January, 2010.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹Doc. No. 43.

²Doc. No. 44.

³Doc. Nos. 39, 41.