

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF ARKANSAS  
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE  
500 W. CAPITOL, ROOM D444  
LITTLE ROCK, ARKANSAS 72201-3325  
(501) 604-5140  
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**December 28, 2009**

Ms. Evelyn L. Moorehead  
Attorney at Law  
12911 Cantrell Road  
Suite 7-183  
Little Rock , AR 72223

Re: *S.A. Potter v. Town of Bauxite, et al.*, 4:09-CV-00863-WRW

Dear Counsel:

I have received Defendants' Motion to Dismiss,<sup>1</sup> which was filed on December 7, 2009.

I assume that since you have not filed a response,<sup>2</sup> you agree with Defendants' position. If you choose not to respond by 5:00 p.m., Wednesday, January 6, 2010, I will grant the motion.

Cordially,

/s/ Wm. R. Wilson, Jr.

Original to the Clerk of the Court  
cc: Other Counsel of Record

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<sup>1</sup>Doc. No. 3.

<sup>2</sup>The response was due on Thursday, December 24, 2009.