

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

JULIUS JOHNSON

PLAINTIFF

ADC #70933

V.

NO: 4:10CV00905 JMM/HDY

DOC HOLLADAY *et al.*

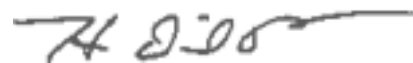
DEFENDANTS

**ORDER**

Pending before the Court are motions to dismiss filed by Defendant Rhonda Anderson (docket entry #45), and Defendant Maxim Health Care Services Inc. (docket entry #49). Because Defendants are relying in part on attachments filed with Anderson’s supporting brief, the Court will treat the motions as motions for summary judgment. Pursuant to Local Rule 56.1, Defendants are both directed to file statements of facts no later than 14 days after the entry of this order. Plaintiff’s response to both motions is due no later than 30 days after Defendants file their statements of fact.

Plaintiff is advised that his response to the motions may include opposing or counter-affidavits, executed by him or other persons, which have been either sworn to under oath, *i.e.*, notarized, or declared to under penalty of perjury in accordance with 28 U.S.C. § 1746. Any opposing or counter-affidavits submitted by the Plaintiff must be based upon the personal knowledge of the person executing the affidavit. No affidavit or other document containing Plaintiff’s allegations will be considered when determining the motions for summary judgment unless it has been sworn to under oath or declared under penalty of perjury.

IT IS SO ORDERED this 18 day of November, 2010.



UNITED STATES MAGISTRATE JUDGE