

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
Facsimile (501) 604-5149

October 5, 2010

Mr. John M. Belew
Belew & Bell
500 East Main Street, Suite 208
Batesville, AR 72501

Ms. Laura Wood Brissey
Belew & Bell
500 East Main Street, Suite 208
Batesville, AR 72501

Re: *JMAR Express, Inc., et al. v. Peterbilt of Memphis, Inc., et al.*, 4:10-CV-01231-WRW

Dear Counsel:

I have received Defendant Cummins Mid-South's Motion to Dismiss, which was filed on September 17, 2010.

I assume that since you have not filed a response,¹ you agree with Defendant's position. If you choose not to respond by 5:00 p.m. on Tuesday, October 12, 2010, I will grant the motion.

Cordially,

/s/Wm. R. Wilson, Jr.

cc: Counsel for Defendants
Clerk of the Court

¹The response was due on Monday, October 4, 2010.