

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

DEBORAH BAKER

PLAINTIFF

vs.

NO. 4:11CV000015 JMM

**THE PNC BANK CORP AND
AFFILIATES LONG TERM DISABILITY PLAN**

DEFENDANTS

ORDER

Pending are Plaintiff's motion to amend, to dismiss, to vacate and for judgment on the pleadings, docket # 33 and Defendants' cross motion for judgment on the pleadings, docket # 36.

Plaintiff's motion to amend her complaint is GRANTED, Plaintiff may file her amended complaint within five (5) days of the entry of this Order. Plaintiff's motion to dismiss the counterclaim, and motion for judgment on the pleadings are DENIED. Plaintiff's motion to vacate the scheduling order is GRANTED, Plaintiff will be allowed to conduct discovery on the limited issue raised in the counterclaim. Defendants' motion for judgment on the pleadings is DENIED.

IT IS SO ORDERED this 2nd day of May, 2011.


James M. Moody
United States District Judge