

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

BANK OF THE OZARKS

PLAINTIFF

VS.

NO. 4:11CV00334

**CHIRON EQUITIES, LLC; KYLE TAUCH
and LOWERY WALTER MCNEIL**

DEFENDANTS

ORDER

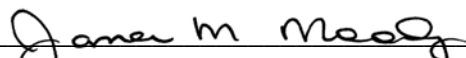
Pending is the supplemental motion for summary judgment, or in the alternative, motion for leave to file a supplement to the motion for summary judgment and for continuance filed on behalf of Defendant Lowery Walter McNeil. (Docket # 33). Plaintiff has filed a response.

In the interest of justice, the Court will consider the additional evidence and argument supporting McNeil's motion for summary judgment. The Court will allow Plaintiff twenty days from the entry of this Order to file a response to the supplemental motion for summary judgment. The case will be removed from the trial docket the week of March 19, 2012 and will be reset, if necessary, after the Court considers the pending motions.

If the Plaintiff determines that additional discovery is necessary prior to filing its response to the supplemental motion for summary judgment, the Court will reopen discovery on this limited issue at the parties' request.

Wherefore, McNeil's motion, docket # 33, is GRANTED.

IT IS SO ORDERED this 2nd day of March, 2012.



James M. Moody
United States District Judge