

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

HELENA CHEMICAL COMPANY and
FEDERAL INSURANCE COMPANY

Plaintiffs

V.

JOHN BOSWELL SKINNER, JR., ET
AL.

Defendants

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NO: 4:11CV00691 SWW

ORDER

Before the Court is Plaintiffs’ motion asking the Court to deem admitted requests for admissions served upon Defendant Adam Ross Catlett (docket entry #79). The time for filing a response has expired, and Separate Defendant Catlett has not responded. For reasons that follow, the motion is granted.

Rule 36(a) of the Federal Rules of Civil Procedure permits a party to serve on any other party “a written request to admit, for the purposes of the pending action only, the truth of any matters within the scope of Rule 26(b)(1) relating to: (A) facts, the application of law to fact, or opinions about either; and (B) the genuineness of any described documents.” Fed. R. Civ. P. 36(a). Under Rule 36(a)(3), a matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves upon the requesting party a written answer or objection addressed to the matter signed by the party or its attorney.

In support of their motion, Plaintiffs submit documents showing that Catlett failed to respond to Plaintiffs’ requests for admissions served upon defense counsel on February 10, 2012.

The Court finds that pursuant to Rule 36(a), the matters set forth in Plaintiffs' first set of requests for admissions served upon Defendant Adam Ross Catlett are deemed admitted.

IT IS THEREFORE ORDERED that Plaintiffs' motion to deem admitted (docket entry #79) is GRANTED.

IT IS SO ORDERED THIS 9th DAY OF APRIL, 2012.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE