

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

**XPEDX, a division of International
Paper Company d/b/a Saalfeld
Redistribution Company**

PLAINTIFF

v.

No. 4:11-cv-763-DPM

**JONESBORO PAPER &
CHEMICAL LLC and PAUL
WALLIS, individually**

DEFENDANTS

ORDER

This case is in the ditch. Back in April, Xpedx moved for summary judgment. Jonesboro Paper is in bankruptcy and the case is stayed as to the company. It is going forward as to Paul Wallis, who appears to have personally guaranteed the debt. Mr. Wallis has not responded to the motion for summary judgment – apparently because his counsel has been in and out of the hospital and seriously ill.

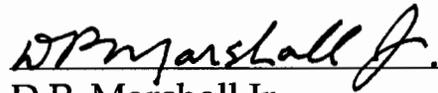
It is time to get the case back on the road to adjudication. The Court therefore directs that, considering all the material circumstances, Wallis has until 31 July 2012 to move to reopen his time to respond to the motion papers *and* to tender a proposed response. The Court will hold a hearing on Xpedx's

motion for summary judgment at 3:00 on 28 August 2012 in Courtroom B-155 of the Richard Sheppard Arnold United States Courthouse.

It may be time for Wallis to get another lawyer, either to assist Mr. Dupwe or take over the case from him. This, of course, is Wallis's decision. Any new counsel should appear as soon as possible. The Court directs the Clerk to send a copy of this Order directly to Mr. Wallis by certified mail, restricted delivery, return receipt requested, and to file the green card once received. This step is to be sure Wallis knows two things: (1) he is facing a motion that could essentially end the case with a ruling against him personally; and (2) he has filed no response to Xpedx's potentially dispositive motion.

The bankruptcy case against Jonesboro Paper appears to be over. The Court requests that Xpedx consider the circumstances and consider moving to lift the stay and expanding its motion to reach Jonesboro Paper as well.

So Ordered.


D.P. Marshall Jr.
United States District Judge

2 July 2012