

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

SELECT ENERGY SERVICES, LLC,

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Plaintiff,

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vs.

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No. 4:12-cv-000149-SWW

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MICHAEL LABEL,

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Defendant.

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ORDER

Plaintiff Select Energy Services, LLC (“Select Energy”), brings this action seeking a temporary and permanent injunction against its former employee, defendant Michael Lebel (“Lebel”), alleging that Lebel is violating a Confidentiality, Non-Competition, and Non-Solicitation Agreement he signed with Select Energy. Select Energy filed this action by way of a Verified Complaint and Application for Temporary and Permanent Injunction in the Circuit Court of Faulkner County, Arkansas, but it was removed to this Court by Lebel on March 6, 2012. Included in the papers removed to this Court are the following motions: (1) Select Energy’s motion for temporary restraining order and preliminary injunction [doc.#3]; and (2) Lebel’s motion to strike and dismiss Select Energy’s complaint or alternatively for summary judgment [doc.#5]. These motions were entered by the Clerk of Court on March 7, 2012, and deemed as pending motions that same day. As there has been some confusion about the response time to these motions, the Court establishes the following deadlines:

- (1) The time for Lebel to file his response to Select Energy’s motion for temporary restraining order and preliminary injunction [doc.#3] is on or before

March 23, 2012.<sup>1</sup> Select Energy may file a reply to Lebel's response no later than seven (7) days from the date of entry of Lebel's response.

(2) The time for Select Energy to file its response to Lebel's motion to strike and dismiss Select Energy's complaint or alternatively for summary judgment [doc.#5] is on or before March 23, 2012. Lebel may file a reply to Select Energy's response no later than seven (7) days from the date of entry of Select Energy's response.

The parties are directed to consult with the Court's courtroom deputy—Cecilia Norwood—regarding a hearing date on the pending motions.

IT IS SO ORDERED this 16<sup>th</sup> day of March 2012

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court notes that it may be that Lebel's motion to strike and dismiss Select Energy's complaint or alternatively for summary judgment *is* his response to Select Energy's motion for temporary restraining order and preliminary injunction given that many if not all of the arguments Lebel makes in his motion are responsive to the arguments in Select Energy's motion for temporary restraining order and preliminary injunction. If that is the case, Lebel, in his response to Select Energy's motion for temporary restraining order and preliminary injunction, may simply adopt the arguments in his motion to strike and dismiss Select Energy's complaint or alternatively for summary judgment.