

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

**STANLEY KRUPICKI,
INDIVIDUALLY AND ON BEHALF
OF OTHERS SIMILARLY SITUATED**

PLAINTIFF

v.

No. 4:12-cv-00150 KGB

**EAGLE ONE, INC.,
a/k/a EAGLEONE LOGISTICS,
a/k/a PRINT N' MAIL**

DEFENDANT

ORDER

Before the Court are plaintiff's motion for summary judgment (Dkt. No. 25), defendant's motion for summary judgment (Dkt. No. 43), and defendant's motion for leave to file supplemented brief in support of defendant's motion for summary judgment (Dkt. No. 57). Plaintiff opposes defendant's motion for leave to file supplemented brief in support of defendant's motion for summary judgment (Dkt. No. 64).

For good cause shown, the Court denies without prejudice plaintiff's motion for summary judgment (Dkt. No. 25) and defendant's motion for summary judgment (Dkt. No. 43). The Court grants defendant's motion for leave to file supplemented brief in support of defendant's motion for summary judgment (Dkt. No. 57). All parties have until September 12, 2013, to file, should they choose to do so, supplemented or amended and substituted motions for summary judgment addressing the financial materials plaintiff produced in response to defendant's discovery requests as ordered by the Court on January 22, 2013. This information and material was produced after the discovery deadline and motions deadline then in effect, and the Court permits the parties to supplement their filings to address this information and material. In the alternative,

the parties have until September 12, 2013, to file a notice with the Court of their intent to stand on the motions for summary judgment currently on file.

The parties have 14 days from the date of service of copies of any supplemented or amended and substituted motion for summary judgment to file a response, and the moving party has seven days after that to file a reply in further support of the motion, in accordance with Local Rule 7.2.

Also pending are two motions *in limine* (Dkt. Nos. 59, 62). These motions are denied without prejudice at this time. The parties are directed to supplement these motions, to the extent they deem necessary, to address the financial materials plaintiffs produced in response to defendant's discovery requests as ordered by the Court on January 22, 2013. In the alternative, the parties may file a notice with the Court of their intent to stand on the motions *in limine* currently on file. These filings may be made prior to the scheduled trial date, in accordance with the deadlines set forth in the First Amended Final Scheduling Order.

SO ORDERED this 29th day of August, 2013.



Kristine G. Baker
United States District Judge