

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

DARREL CANADA, Individually
and on Behalf of Others Similarly
Situated

PLAINTIFF

VS.

CASE NO. 1:13-CV-1036

DOMINION ENTERPRISES,
a Virginia General Partnership;
CROSS SELL, LLC; and
JOHN DOES 1-100

DEFENDANTS

AMENDED ORDER

Before the Court is the Plaintiff's Motion to Transfer. (ECF No. 23).¹ Plaintiff requests that this case be transferred to the Eastern District of Arkansas. Defendants have filed a response to the motion (ECF No. 24) and state that they have no objection to the transfer. The Court finds this matter ripe for consideration.

"For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought." 28 U.S.C. §1404(a). The parties state that the Eastern District of Arkansas is a proper venue for this action and that there are no objections to the transfer. Upon review of Plaintiff's Complaint (ECF No. 1), the Court agrees that venue is proper in the Eastern District of Arkansas.² Accordingly,

¹Plaintiff docketed this pleading as a motion to transfer but titled the pleading "Plaintiff's Response to Defendants' Motion to Dismiss." Plaintiff has confirmed to the Court that the pleading should be construed as a motion to transfer.

²The Court takes no position on whether the Western District of Arkansas is a proper venue for this action or whether a transfer would be appropriate pursuant to 28 U.S.C. §1406(a).

Plaintiff's Motion to Transfer (ECF No. 23) should be and hereby is **GRANTED**. The Clerk is directed to immediately transfer this case to the United States District Court for the Eastern District of Arkansas.

IT IS SO ORDERED, this 10th day of June, 2013.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge