

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**DELTA NATURAL KRAFT, LLC**

**PLAINTIFF**

**vs.**

**CASE NO. 5:09CV0217 BSM**

**GRAPHIC PACKAGING INTERNATIONAL, INC.**

**DEFENDANT**

**AGREED ORDER**

Now before the court is the motion to dismiss of the defendant, Graphic Packaging International, Inc. (“GPI”) (Doc. No. 9), and the parties have announced that they have resolved the motion on the following terms:

1. Plaintiff Delta Natural Kraft, LLC (“Delta Natural”) desires to file a first amended complaint and amended disclosure statement to clarify the subject matter jurisdiction of the court. As per Rule 15(a)(2) of the Federal Rules of Civil Procedure, defendant GPI consents to the filing of the first amended complaint by plaintiff Delta Natural.
2. Upon the filing of the first amended complaint, defendant GPI will withdraw its currently pending motion to dismiss for lack of subject matter jurisdiction as moot.
3. The responsive pleading of defendant GPI to the first amended complaint shall be due 20 days from the filing of the first amended complaint, with no need to file any further responsive pleading on the initial complaint.

IT IS SO ORDERED this 26th day of August, 2009.



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HONORABLE BRIAN S. MILLER  
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Benecia B. Moore

Steven W. Quattlebaum, Ark. Bar # 84127  
Benecia B. Moore, Ark. Bar # 2006050  
QUATTLEBAUM, GROOMS,  
TULL & BURROW PLLC  
111 Center Street, Suite 1900  
Little Rock, Arkansas 72201

/s/ William A. Waddell, Jr. (with permission)

William A. Waddell, Jr., Ark. Bar # 84514  
FRIDAY, ELDREDGE & CLARK, LLP  
400 West Capitol Avenue, Suite 2000  
Little Rock, Arkansas 72201