

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

LTNRT, INC. d/b/a/ WHAT IF CREATIVE

PLAINTIFF

v.

Case No. 2:13-CV-02072

?WHAT IF! HOLDINGS LIMITED

DEFENDANT

ORDER

On April 18, 2013, Defendant ?What If! Holdings Limited filed a motion to dismiss or, in the alternative, motion to transfer (Doc. 9). In its motion, Defendant asserted that the complaint should be dismissed for lack of personal jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2), improper venue pursuant to Rule 12(b)(3), and for failure to state a claim pursuant to Rule 12(b)(6). Plaintiff LTNRT, Inc. d/b/a What If Creative submitted a response in opposition (Doc. 13) to Defendant's motion to dismiss, which the Court construed as a motion for leave to conduct jurisdictional discovery. The Court issued an order on May 8, 2013, deferring its ruling on Defendant's motion to dismiss in order to allow Plaintiff the opportunity to conduct limited jurisdictional discovery on the personal jurisdiction issue.

On July 17, 2013, Defendant filed a motion to withdraw its pending motion to dismiss (Doc. 18) and informed the Court that Defendant now consents to personal jurisdiction in the Western District of Arkansas for the purpose of adjudicating the case at bar. Plaintiff does not object to the withdrawal of Defendant's motion to dismiss, and Defendant agrees it will file its answer to the complaint on or before July 19, 2013.

Accordingly, IT IS ORDERED that Defendant ?What If! Holdings Limited's motion to withdraw pending motion to dismiss (Doc. 18) is GRANTED, and Defendant's motion to dismiss (Doc. 9) is TERMINATED as withdrawn. Defendant's answer is due on or before July 19, 2013.

IT IS SO ORDERED this 18th day of July, 2013 .

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE