

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

LOIS DRIVER, et al

PLAINTIFFS

VS.

CASE NO. 4:13-cv-4074

D. MOSLEY TRUCKING, INC.,
et al

DEFENDANTS

ORDER

Before the Court is an Amended Motion to Strike Answer filed on behalf of Plaintiffs Lois Driver and Robert Driver. (ECF No. 100). Plaintiffs request that the First Amended Answers (ECF Nos. 49-50) filed on behalf of Defendant Ramon Colon and D. Mosley Trucking be struck from the record. Plaintiffs request that these documents be struck because these Defendants did not obtain leave of Court prior to filing the First Amended Answers.

Upon consideration, the Court finds that the motion should be and hereby is **DENIED AS MOOT**. Subsequent to the present motion being filed, Plaintiffs filed a Second Amended Complaint. (ECF No. 119). Defendants filed an Answer (ECF No. 121) to the Second Amended Complaint. Because Defendants' First Amended Answers are no longer operative it is not necessary for them to be struck from the record.

IT IS SO ORDERED, this 29th day of October, 2014.

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