

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

TRI-STATE LODGING, INC.

PLAINTIFF

VS.

CASE NO. 13-CV-4088

E-Z MART STORES, INC.

DEFENDANT

STATE OF ARKANSAS

INTERVENOR

ORDER

Before the Court is Defendant E-Z Mart Stores, Inc.'s Motion for Twelve Person Jury. (ECF No. 35). No other party has filed an objection to this request. Federal Rule of Civil Procedure 48 permits a jury to "begin with at least 6 and no more than 12 members." The decision to empanel a twelve-person jury is within the district court's discretion. *Wolfe v. Fayetteville, Ark. Sch. Dist.*, 648 F.3d 860, 868-69 (8th Cir. 2011). Accordingly, the Court finds that Defendant E-Z Mart Stores, Inc.'s Motion for Twelve Person Jury should be and hereby is GRANTED.

IT IS SO ORDERED, this 17th day of December, 2014.

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