

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

DDR MDT FAYETTEVILLE
SPRING CREEK, LLC

PLAINTIFF

v.

Civil No. 08-5209

THE FEDERAL DEPOSIT
INSURANCE CORP., as a Receiver
for ANB Financial, N.A.

DEFENDANT

O R D E R

Now on this 3rd day of November 2008, comes on for consideration FDIC's **Motion Seeking Refund of Filing Fee** (document #7), in which counsel for FDIC cites **12 U.S.C. § 1819(b)(4)** (FDIC "shall not be subject to payments of any filing fees in United States District courts") and states that the \$350 filing fee in this matter was paid in error when it was removed.

The motion is **granted**, and the Clerk of Court is directed to return the filing fee paid by FDIC in this matter to Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE