

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

DARRIN HARDY; JULIE HARDY; BENJAMIN LYNCH, SR.;
SUE WALLACE; JOHN WALLACE; RON TEAGUE;
KATHY TEAGUE; KAREN MEARS; JAMES MEARS;
DON HOGAN; AMANDA HOGAN; VIANNA REYNOLDS;
JENNIFER STELL; DOUG STELL; JANICE FOWLER;
RANDY FOWLER; TABETHA JOHNSON; JODY CHADWICK;
MARK DRAPER; JENNIFER DRAPER; PENNY MCINROE;
RHONDA RICHARDSON; TAMARA GRIFFIN; LANA HILL;
RONNIE HILL; GEORGE HATHCOCK; JULIE HATHCOCK;
KAREN WEST; PATRICIA BROWN; EARNEST REYNOLDS;
JENNA JORDAN; VIOLET CRABTREY; JEFF RAY;
TONYA RAY; TIM DERTOW; ALICIA DERTOW;
LINDA WILLIAMS; CHRIS HILBORN; PATRICIA WILLIAMS;
MICHAEL MARTIN; AMANDA MARTIN;
c/k/a PARENTS FOR SCHOOL CHOICE

PLAINTIFFS

v.

Civ. No. 08-6094

MALVERN SCHOOL DISTRICT;
DIANE TATUM, BRENDA GULLETT,
ALICE WILLIAMS MAHONY, DR. BEN MAYS,
SAMUEL LEDBETTER, JIM COOPER, and
SHERRY BURROW, members of the
Arkansas State Board of Education;
DR. NACCAMAN WILLIAMS, Vice Chair of
the Arkansas State Board of Education;
and RANDY LAWSON, Chair of the
Arkansas State Board of Education

DEFENDANTS

O R D E R

Currently before the Court are Plaintiffs' Motion for Voluntary Non-Suit for Specific Plaintiffs (doc. 95) and Amended Motion for Voluntary Non-Suit for Specific Plaintiffs. (Doc. 96). Because their amended motion renders the original motion moot, Plaintiffs' Motion for Voluntary Non-Suit for Specific Plaintiffs (doc. 95) is **DENIED AS MOOT**. For their amended motion, Plaintiffs seek an order dismissing Don Hogan, Amanda Hogan, Vianna Reynolds,

Jennifer Stell, Doug Stell, Janice Fowler, Randy Fowler, Tabetha Johnson, Jody Chadwick, James Mears, Penny McInroe, Tamara Griffin, Lana Hill, Ronnie Hill, George Hathcock, Julie Hathcock, Patricia Brown, Earnest Reynolds, Jenna Jordan, Alicia Dertow, Tim Dertow, Chris Hilborn, Amanda Martin, Michael Martin, Jeff Ray, Tonya Ray, Linda Williams, Patricia Williams, Parents for School Choice, and Violet Crabtree. The Court, being well and sufficiently advised, finds that Plaintiffs' Amended Motion for Voluntary Non-Suit for Specific Plaintiffs (doc. 96) should be **GRANTED**, and these Plaintiffs are dismissed without prejudice.

IT IS SO ORDERED this 15th day of December, 2009.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge