

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

ANNA MILLER

PLAINTIFF

vs.

Civil No. 6:09-cv-06103

DARIN MEYERS

DEFENDANT

**ORDER**

**BEFORE** the Court is Plaintiff's Motion to Disqualify Counsel (ECF No. 15) and Plaintiff's Motion to Withdraw Motion to Disqualify Counsel. ECF No. 26. Defendant responded to Plaintiff's Motion to Disqualify Counsel on December 22, 2010. ECF No. 24. These motions were referred to this Court by the Honorable Robert T. Dawson. pursuant to 28 U.S.C. § 636(b)(1).

According to Plaintiff, the Motion to Disqualify Defendant's Counsel (ECF No. 15) was filed because Defendant's counsel was a potential witness in this matter and the stipulation, if agreed too, would have prevented Defendant's counsel from being called as a witness in this matter. ECF No. 26. Following, Plaintiff's Motion to Disqualify Counsel, Defendant's counsel agreed too and signed the stipulation, thereby removing himself as a potential witness in this case. ECF No. 26-1. Plaintiff then filed her Motion to Withdraw Motion to Disqualify Counsel. ECF No. 26.

**IT IS THEREFORE ORDERED** that Plaintiff's Motion to Disqualify Counsel (ECF No. 15) is **DENIED AS MOOT**, and Plaintiff's Motion to Withdraw Motion to Disqualify Counsel (ECF No. 26) is **GRANTED**.

**DATED** this **4th day of January, 2011**.

/s/ Barry A. Bryant  
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HON. BARRY A. BRYANT  
U.S. MAGISTRATE JUDGE