

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

LAMAR KEMP  
ADC # 085183

PLAINTIFF

v.

Case No. 6:17-cv-6084

WELLPATH, LLC

DEFENDANT

**ORDER**

Before the Court is Plaintiff's Motion to Enforce Settlement. (ECF No. 111). Defendant has responded. (ECF No. 112). The Court finds this matter ripe for consideration.

Plaintiff states that the parties settled this matter on September 12, 2019, with Defendant agreeing to pay Plaintiff a sum of money in exchange for him dismissing his claims. Plaintiff states that he has yet to receive any settlement proceeds and moves the Court to enforce the parties' settlement agreement.

Defendant states that the settlement payment was sent to Plaintiff on October 28, 2019, the same day that Plaintiff mailed his motion to the Court, and that the Arkansas Department of Correction has verified that the settlement payment was credited to Plaintiff's inmate account on November 1, 2019. Consequently, Defendant argues that the instant motion is moot.

Upon consideration, the Court finds that Plaintiff's Motion to Enforce Settlement (ECF No. 111) should be and hereby is **DENIED AS MOOT**. If Plaintiff has not received the settlement payment as indicated by Defendant, he may bring this to the Court's attention in an appropriate motion.

**IT IS SO ORDERED**, this 22nd day of November, 2019.

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