

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CUSTOM BLENDING AND
PACKAGING OF ST. LOUIS, LLC,**

Plaintiff,

v.

**STEVEN MOSER, JR.,
STEVEN MOSER, SR.,
DAC INDUSTRIES, INC.,
and DAC AEROSOL & LIQUID
FILL, INC.,**

Defendants.

No. 08-0592-DRH

ORDER

HERNDON, Chief Judge:

This matter comes before the Court for case management. On January 15, 2010, Plaintiff filed a Fourth Amended Complaint adding Dennis Litz, the owner of Defendants DAC Industries, Inc. and DAC Aerosol & Liquid Fill, Inc. (Doc. 80). Thus, the Court **DENIES as moot** Defendants DAC Industries, Inc. and DAC Aerosol & Liquid Fill, Inc.'s motions for summary judgment (Doc. 70).

IT IS SO ORDERED.

Signed this 19th day of January, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**