

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

GREG HEUERMANN,

Plaintiff,

v.

ANDES HEALTHMART,

Defendant.

No. 11-0629-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is plaintiff's motion for leave to file first amended complaint (Doc. 17). The Court **GRANTS** the motion. The Court **DIRECTS** plaintiff to file his first amended complaint instanter. Further, the Court **DENIES as moot** defendant's motion to dismiss count II of plaintiff's complaint (Doc. 7).

IT IS SO ORDERED.

Signed this 5th day of December, 2011.

 David R. Herndon
2011.12.05
10:29:56 -06'00'

**Chief Judge
United States District Court**