

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JANET SCHWANINGER,

Plaintiff,

v.

HYUNDAI MOTOR COMPANY, *et al.*,

Defendants.

Case No. 15-cv-858-JPG-RJD

**MEMORANDUM AND ORDER**

This matter comes before the Court on a letter to the Court dated November 23, 2016 (Doc. 159), which the Court construes as a motion to withdraw portions of the pending motion to dismiss filed by defendant Hyundai Mobis Co., Ltd. (“Hyundai Mobis”). In the letter, Hyundai Mobis informs the Court that it wishes to withdraw the argument that it is not subject to the Court’s jurisdiction, although it wishes to maintain its statute of limitations and sufficiency of the pleading arguments contained in the motion to dismiss.

The Court **GRANTS** the motion to withdraw (Doc. 159). To achieve the result expressed by Hyundai Mobis in that motion, the Court **DIRECTS** the Clerk of Court to **STRIKE** Hyundai Mobis’s pending motion to dismiss (Doc. 107) and **ORDERS** that Hyundai Mobis shall have up to and including December 16, 2016, to refile its motion to dismiss omitting the personal jurisdiction argument but including the statute of limitations and sufficiency of the pleading arguments. The briefing schedule for the newly filed motion shall comply with the deadlines set forth in Local Rule 7.1(c).

**T IS SO ORDERED.****DATED: November 29, 2016**

s/ J. Phil Gilbert

**J. PHIL GILBERT**  
**DISTRICT JUDGE**