

memorandum and order which sustained plaintiff's motion for reconsideration.² The Court ordered that "plaintiff has abandoned any claims for an accounting of Norman's Trust or Norman's Estate, or to recover assets from Norman's Trust or Estate." See Doc. # 89 at 10. In a footnote, the Court also stated that "[b]ecause plaintiff has abandoned any claims against the trusts or estate or against defendants in their representative capacities, the absent parties are not necessary." See Doc. #89, at 9 n.4. Defendants ask the Court to clarify that (1) "plaintiff has abandoned all of her asserted claims against the trust and probate estates and not just her claims for accountings," and (2) "she has also abandoned her claims against defendants in their representative capacities." See Doc. #92 at 5-6.

As to the first assertion, plaintiff does not dispute that she has abandoned all of her claims against the trust and probate estates and not just her claims for accountings. The Court therefore overrules as moot that portion of defendants' motion to clarify. As to the second assertion, footnote four may have overstated what plaintiff has abandoned. The Court intended to state that plaintiff was abandoning claims in which liability would be that of the trust or estate. Footnote four adds little to the analysis. The Court therefore strikes it and apologizes for the confusion.

IT IS THEREFORE ORDERED that Defendants' Motion To Supplement Memorandum And Order Dated January 11, 2010 [Doc. #89] (Doc. #91) filed January 29, 2010 be and hereby is **SUSTAINED in part. The Court strikes footnote 4 from the Memorandum And Order (Doc. #89).**

Dated this 7th day of April, 2010 at Kansas City, Kansas.

s/ Kathryn H. Vratil
Kathryn H. Vratil
United States District Judge

² Rule 60(a), Fed. R. Fed. P. provides as follows:

Clerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders.