

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

ROBIN MURPHY, ET AL.

CIVIL ACTION

VERSUS

NO. 15-5566

ALCATEL-LUCENT USA INC., ET AL.

SECTION "N" (5)

ORDER AND REASONS


Presently before the Court is the "Unopposed Motion to Continue Submission Date submitted by Honeywell International Inc., as successor-in-interest to Allied Chemical Corporation" (Rec. Doc. 41). The motion seeks a continuance of the submission date of Honeywell's pending "Rule 12(b)(6) Motion to Dismiss Plaintiffs' First and Second Supplemental and Amending Petitions for Damages" (Rec. Doc. 4) to allow Plaintiff an opportunity to first amend the petitions prior to the Court's determination of the motion to dismiss.

Considering the foregoing, and the record in this matter, **IT IS ORDERED** that Defendant Honeywell's motion to dismiss (Rec. Doc. 4) is **DENIED WITHOUT PREJUDICE** to its right to re-file the motion following Plaintiff's amendment.

IT IS FURTHER ORDERED that Plaintiff must submit its proposed Third Supplemental and Amending Petition, as well as a motion for leave to file, on or before Thursday, June 30, 2016. Once filed, the Third Supplemental and Amending Petition shall supersede the First and Second Supplemental and Amending Petitions for Damages.

IT IS FINALLY ORDERED that Honeywell's foregoing motion to continue (Rec. Doc. 41) is **DENIED** as **MOOT**.

New Orleans, Louisiana, this 16th day of June 2016.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE