IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI WESTERN DIVISION

EMPLOYERS MUTUAL CASUALTY COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 5:10-CV-00137-DCB-JMR

CHARLIE RADDIN, AN INDIVIDUAL; JACOB WOODARD, AN INDIVIDUAL; KYLE CORLEY, AN INDIVIDUAL; BRIAN STEPHENSON, AN INDIVIDUAL; RICHARD DARDEN, AN INDIVIDUAL; THE YAZOO CITY MEDICAL CLINIC; AND JOHN DOES 1-20

DEFENDANTS

AGREED ORDER WITHDRAWING MOTION TO STRIKE AND GRANTING LEAVE TO FILE SUR-REPLY

THIS CAUSE having come before this Court on the Motion of Charlie Raddin, Jacob Woodard, Kyle Corley, Brian Stephenson and Jerold Hollowell (hereinafter "the underlying plaintiffs"), To Strike Employers Mutual Casualty Company's Response to Yazoo City Medical Clinic's Cross-Motion for Declaration of Coverage, or, in the Alternative, For Leave to File Sur-Reply to Employers Mutual Casualty Company's Anticipated Reply to Certain Defendant's Response in Opposition to Employers Mutual Casualty Company's Motion for Summary Judgment. After discussion by the parties, Charlie Raddin, Jacob Woodard, Kyle Corley, Brian Stephenson and Jerold Hollowell have agreed to withdraw their Motion To Strike Employers Mutual Casualty Company's (hereinafter "EMC") Response to the Yazoo City Medical Clinic's Cross-Motion for Declaration of Coverage. In exchange, Employers Mutual Casualty Company consents to the underlying plaintiffs' request for leave to file a sur-reply in the event EMC files a Rebuttal to the response filed by the underlying plaintiffs on October 20, 2011.

IT IS, THEREFORE, ORDERED that the Underlying Plaintiffs Motion to Strike is hereby

withdrawn, and the underlying plaintiffs shall be granted leave to file a sur-reply in the event EMC

files a Rebuttal to the response filed by the underlying plaintiffs on October 20, 2011.

SO ORDERED this the 2^{nd} day of February, 2012.

<u>s/David Bramlette</u> UNITED STATES DISTRICT JUDGE

Prepared by:

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Agreed to by:

<u>/s/ James D. Boone</u> James D. Boone, Esq. (MS Bar #102377) **COPELAND, COOK, TAYLOR AND BUSH, PA** 1076 Highland Colony Parkway 600 Concourse, Suite 100 Ridgeland, MS 39157 Telephone: (601) 856-7200 Email: jboone@cctb.com