

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ROESLEIN & ASSOCIATES, INC. and)
ROESLEIN ALTERNATIVE ENERGY, LLC,)
)
Plaintiffs,)
)
v.)
)
THOMAS ELGIN, ELGIN MEYER)
BIOENERGY CO., J.S. MEYER)
ENGINEERING, P.C., and M&K CHEMICAL)
ENGINEERING CONSULTANTS, INC.,)
)
Defendants.)

No. 4:17 CV 1351 JMB

MEMORANDUM AND ORDER

This matter is before the Court on Defendants Elgin Meyer Bioenergy Co. and J.S. Meyer Engineering, P.C.’s (“Meyer Defendants”) Request for Oral Argument on Their Motion to Dismiss the First Amended Complaint (ECF No. 101) and M&K Chemical Engineering Consultants, Inc.’s (“M&K”) Request for Oral Argument on its Motion to Dismiss the First Amended Complaint (ECF No. 113). Plaintiffs Roeslein & Associates, Inc. and Roeslein Alternative Energy, L.L.C. (“Roeslein”) filed an opposition thereto.

A review of the record shows that the parties have submitted new evidence which was not part of the record at the time of the first hearing. Additionally, M&K was not a party at the time of the first hearing, and M&K raises issues that were not previously decided by the Court. In consideration of the parties’ briefs and arguments, the Court finds that oral argument is warranted in this matter and, therefore, the motions for oral argument will be granted. See E.D. Mo. L.R. 4.02(A) (“Motions in civil cases shall be submitted and determined upon the

memoranda without oral argument. The Court may in its discretion order oral argument on any motion.”).

IT IS HEREBY ORDERED that Meyer Defendants’ Request for Oral Argument on Their Motion to Dismiss the First Amended Complaint (ECF No. 101) and M&K’s Request for Oral Argument on its Motion to Dismiss the First Amended Complaint (ECF No. 113) are GRANTED.

IT IS FURTHER ORDERED that oral argument is set in this matter for Wednesday, October 3, 2018, in Courtroom 15 South at 10:00 a.m.

/s/ John M. Bodenhausen
UNITED STATES MAGISTRATE JUDGE

Dated this 11th day of September, 2018.