

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CASE NO.: 5:10-CV-133-DCK**

**KEN E. CHURCH,**

**Plaintiff,**

**v.**

**HOME FASHIONS INTERNATIONAL,  
LLC,**

**Defendant.**

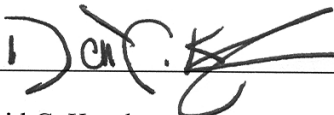
**ORDER**

**THIS MATTER IS BEFORE THE COURT** on Plaintiff's "Notice Of Motion To Compel Discovery" (Document No. 12) filed November 2, 2011. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, and noting that Plaintiff has filed an amended motion to compel discovery (Document No. 13), the undersigned will deny this motion as moot.

**IT IS THEREFORE ORDERED** that Plaintiff's "Notice Of Motion To Compel Discovery" (Document No. 12) is **DENIED AS MOOT**.

**SO ORDERED.**

Signed: November 2, 2011



David C. Keesler  
United States Magistrate Judge

