

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KELLY W. HANCE,)	
)	
Plaintiff,)	
)	No. 3:04-CV-160
)	(PHILLIPS/GUYTON)
V.)	
)	
NORFOLK SOUTHERN RAILWAY CO., <i>et al.</i> ,)	
)	
Defendant.)	

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the order of the District Judge [Doc. 193] referring Gregory A. Stayart’s “Motion to Dismiss Motion for Accounting and to Vacate Rule to Show Cause” [Doc. 154], and related motions, to this Court for disposition. The Plaintiff has filed a “Motion to Strike or in the Alternative Deny the Respondent Gregory A. Stayart’s Motion to Dismiss and Request to Vacate Ruling to Show Cause,” [Doc. 196].

The Court has entered any order denying Mr. Stayart’s “Motion to Dismiss Motion for Accounting and to Vacate Rule to Show Cause,” [Doc. 154]. Because Mr. Stayart’s motion has been denied, the Court finds that the Plaintiff’s Motion to Dismiss [**Doc. 196**] is now moot, and it is **DENIED AS MOOT.**

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge