

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

**KAREN McPETERS**, individually, and on §  
behalf of those individuals, persons and entities §  
who are similarly situated §  
Plaintiff §

vs.

§ CIVIL ACTION NO. 4:10-CV-01103

§  
§  
**JURY**

**THE HONORABLE FREDERICK E.** §  
**EDWARDS; BARBARA GLADDEN** §  
**ADAMICK, DISTRICT CLERK;** §  
**MONTGOMERY COUNTY, TEXAS, and** §  
**REED ELSEVIER, INC. d/b/a LexisNexis** §  
Defendants §

**ORDER**

The Court, having considered Plaintiff’s motion to determine treatment of motions, finds the motion should be GRANTED. It is therefore:

ORDERED that the Defendants’ pending motions to dismiss under Fed. R. Civ. P. 12(b)(6) shall be considered under Fed. R. Civ. P. \_\_\_\_\_, with Plaintiff’s response(s) due on or before \_\_\_\_\_.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE