

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Karen McPeters,

Plaintiff,

v.

**The Honorable Frederick E. Edwards, et.
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Defendants.

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CIVIL ACTION NO. 4:10-cv-1103

ORDER

Pending before the Court is the Motion to determine treatment of motions of Plaintiff (Doc. No. 60). The Court declines, at this time, to make a definite ruling as to whether the motions to dismiss pending in this matter will be treated as motions under Rule 12(b)(6) or under Rule 56. Such a determination is more appropriate after all parties have submitted briefing on the matter, and the Court has fully considered the arguments presented in the Motion and the exhibits attached thereto. However, Plaintiff is hereby notified that conversion of the Rule 12(b)(6) motions to Rule 56 motions is possible, and Plaintiff should accordingly present all material she feels is pertinent in her responses. In order to ensure that Plaintiff has sufficient opportunity to do so, the Court hereby extends Plaintiff's deadline to file her responsive briefs until August 15, 2010. Plaintiff's Motion is **GRANTED IN PART** and **DENIED IN PART**.

IT IS SO ORDERED.

SIGNED this 21st day of July, 2010.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE