

AUG 14 2012

JULIA C. DUDLEY, CLERK

BY: *[Signature]*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

JEANNE HORNE,
Plaintiff,

v.

CLINCH VALLEY MEDICAL
CENTER, INC.,
Defendant.

) Civil Action No. 1:11cv00048

)

)

)

)

)

)

)

MEMORANDUM OPINION AND
ORDER

By: Samuel G. Wilson
United States District Judge

On April 9, 2012, the court heard oral argument on defendant Clinch Valley Medical Center's motion for summary judgment in this matter. At the conclusion of the hearing, the court directed the parties to depose a key witness, Debra Riffe, and file the deposition transcript with the court. Shortly after the court received the transcript, plaintiff Jeanne Horne filed a letter summarizing the deposition and arguing against Clinch Valley's pending motion for summary judgment. Clinch Valley has now moved to strike that letter, arguing that the court did not request supplemental argument on the motion for summary judgment. In the alternative, Clinch Valley requests leave to file a response to Horne's letter.

The court finds that a brief response from Clinch Valley will aid the decisional process. Therefore, the court will grant Clinch Valley leave to file a response to Horne's letter. Accordingly, it is hereby **ADJUDGED** and **ORDERED** that the defendant's motion to strike is **DENIED**, and the defendant's motion for leave to file a response is **GRANTED**. The defendant shall have fourteen days to file its response.

ENTER: August 14, 2012.

[Signature]
UNITED STATES DISTRICT JUDGE