

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

MONSOUR'S INC.,

Plaintiff,

vs.

MENU MAKER FOODS, INC.,

Defendant.

Case No. 05-1204-JTM

MEMORANDUM AND ORDER

Presently before the court is plaintiff's motion to supplement motion for attorney fees (Dkt. No. 208), which was filed on January 6, 2009. Defendants failed to respond to the motion. Local rules provide that where a party fails to file a response within the time required by the rules, "the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice." D. Kan. Rule 7.4. For that reason, and for good cause shown, plaintiff's motion is granted. As such, plaintiff is awarded additional attorney fees of \$9,497.50, plus additional expenses of \$977.96.

IT IS ACCORDINGLY ORDERED this 19th day of February, 2009.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE