IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

PAYLESS SHOESOURCE INC.,	WORLDWID	E,)))	
	Plaintiff,)	Civil Action No. 05-4023-JAR
)	
)	
V.)	
TARGET CORPORATION	and)	
TARGET BRANDS, INC.,)	
	Defendants.)	

ORDER

This matter comes before the court upon defendants' Motion to Quash Klanderud Subpoenas or in the Alternative for Protective Order (Doc. 148) and Memorandum in Support (Doc. 149). Plaintiff has filed a response in opposition (Doc. 162) to which defendants have filed a reply (Doc. 166). The issues are therefore fully briefed and ripe for disposition.

In their Reply brief, defendants inform that the United States District Court, District of Minnesota granted Mrs. Klanderud's motion to quash the same subpoena at issue in the present motion before this court.¹ Defendants further explain that plaintiff Payless ShoeSource had the

¹Reply (Doc. 166) at p. 1. Defendants have also attached a copy of the court's Minute Order quashing Mr. Klanderud's subpoena. *Id.* at (Exhibit A).

opportunity to fully brief and argue this motion in the District of Minnesota. As defendants believe that "no live controversy" exists as to this motion, defendants ask the court to find the

present motion moot.

Accordingly,

IT IS THEREFORE ORDERED that defendants' Motion to Quash Klanderud

Subpoenas or in the Alternative for Protective Order (Doc. 148) is moot.

IT IS SO ORDERED.

Dated this 9thday of July, 2007, at Topeka Kansas.

s/ K. Gary Sebelius

K. GARY SEBELIUS

U.S. MAGISTRATE JUDGE

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