

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

Erin C. Harves,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 06-2087-KHV
	)	
B J B, L.L.C., a Minnesota business entity	)	
doing business as Agri-Trading,	)	
Dale Baker, Bret Johnson and Stephen	)	
Borstad,	)	
	)	
Defendants/Third-Party Plaintiffs.	)	

**ORDER**

This matter comes before the court upon defendants' Motion to Compel, Motion for Sanctions and Memorandum in Support (Doc. 21) filed on September 19, 2006. Plaintiff never filed a response, and the time to do so has passed.<sup>1</sup> Normally, the court would treat the present motion as uncontested.<sup>2</sup> However, the court has learned that the parties reached a settlement during their October 3, 2006 mediation. Consequently, the present Motion to Compel and for Sanctions is denied as moot. Accordingly,

**IT IS THEREFORE ORDERED** that the present motion (Doc. 21) is denied as moot.

**IT IS SO ORDERED.**

Dated this 17th day of October, 2006, at Topeka Kansas.

s/ K. Gary Sebelius  
**K. GARY SEBELIUS**  
U.S. MAGISTRATE JUDGE

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<sup>1</sup> See D. Kan. R. 6.1(d)(1) ("Responses [for non-dispositive motions] shall be filed and served within 14 days of the service of the response.")

<sup>2</sup> See D. Kan. R. 7.4 ("If a respondent fails to file a response within the time required by Rule 6.1(d), the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice.")