

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

HEATHER PURSER, Plaintiff,

v.

Case No. 06-2133-CM

UNITED STATES OF AMERICA
HASKELL INDIAN NATIONS UNIVERSITY,

Defendant.

ORDER

This matter comes before the court upon defendant's Motion to Deny as Moot (Doc. 45) defendant's combined Motion to File Motion to Compel Out of Time; Motion to Compel; and Motion to Amend the Scheduling Order (Doc. 31).

On February 2, 2007, defendant filed its motion (Doc. 31) seeking to file its motion to compel out of time, compel responses to certain interrogatories, and to amend the scheduling order. Subsequent to this filing, plaintiff sufficiently responded to defendant's discovery request and the court entered an order extending the discovery deadline (Doc. 44). Thus, "[i]n light of these developments, the Defendant's motion[(Doc. 31)] is now moot."¹

Accordingly, and for good cause shown,

IT IS THEREFORE ORDERED that defendant's motion (Doc. 45) is granted.

¹Motion (Doc. 45) at p. 1.

IT IS FURTHER ORDERED that defendant's combined motion to File Motion to Compel Out of Time; Motion to Compel; and Motion to Amend the Scheduling Order (Doc. 31) is denied as moot.

IT IS SO ORDERED.

Dated this 7th day of March, 2007, at Topeka, Kansas.

s/ K. Gary Sebelius
K. Gary Sebelius
U.S. Magistrate Judge