

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

E³ BIOFUELS-MEAD, LLC)	
f/k/a NEBRASKA BIOCLEAR-MEAD, LLC,)	
and MEAD CATTLE COMPANY, LLC)	
f/k/a NEBRASKA BIOCLEAR, LLC,)	CIVIL ACTION
)	
Plaintiffs,)	
)	No. 06-2343-KHV
v.)	
)	
QA3 FINANCIAL CORP., AGRIBUSINESS)	
AND FOOD ASSOCIATES, LLC, MARK)	
LAKERS, CHALKSTONE CONSULTING, LLC)	
AND DAVID NEUBAUER,)	
)	
Defendants.)	
)	

ORDER

This matter is before the Court on the Motion Of Defendants Agribusiness And Food Associates, L.L.C. And Mark Lakers For Summary Judgment On Plaintiffs' Counterclaim (Doc. #58) and the Motion For Summary Judgment Of Defendants Agribusiness And Food Associates, L.L.C., Mark Lakers, Chalkstone Consulting, LLC, And David Neubauer (Doc. #61), both filed November 6, 2007. Defendant's memoranda do not contain numbered factual statements as required by D. Kan. Rule 56.1(a).¹ See Doc. ##59, 62. Rule 56.1(a) is designed so that the parties and the

¹ Rule 56.1(a) provides as follows:

(a) Supporting Memorandum. The memorandum or brief in support of a motion for summary judgment shall begin with a section that contains a concise statement of material facts as to which the movant contends no genuine issue exists. The facts shall be numbered and shall refer with particularity to those portions of the record upon which movant relies. All material facts set forth in the statement of the movant shall be deemed admitted for the purpose of summary judgment unless specifically controverted by the reply of the moving party.

Court can identify any disputed factual assertions. Accordingly, no later than **November 21, 2007**, defendants shall file revised factual statements which comply with D. Kan. Rule 56.1(a).²

IT IS SO ORDERED.

Dated this 16th day of November, 2007, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge

² The current deadline for plaintiff to respond to defendants' motions for summary judgment is November 29, 2007. To allow plaintiff adequate time to respond to the revised factual statements, plaintiff may file a response to defendants' motions no later than **December 7, 2007**.