

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

OXFORD HOUSE, INC; OXFORD
HOUSE - WASHBURN; LESLIE BERGIN;
MARK HADFIELD; RODNEY HELZER; and
JAMES D. MUSA, JR.,

Plaintiffs

v.

Case No. 06-4004-RDR

CITY OF TOPEKA, KANSAS,

Defendant.

ORDER

This matter comes before the court upon plaintiff Oxford House, Inc.’s Unopposed Motion to Withdraw Previous Motion for Leave to File Third Amended Complaint and Join Co-Plaintiffs’ Motion for Leave to File Joint Third Amended Complaint (Doc. 75). Specifically, plaintiff moves to withdraw its own Motion to Amend (Doc. 69) and to simply join Co-Plaintiffs’ Motion for Leave to Amend (Doc. 71), “[t]o ensure there is no confusion as to the proper Third Amended Complaint.”

Upon reviewing plaintiff’s motion, the court finds good cause exists that it be granted. Accordingly,

IT IS THEREFORE ORDERED that plaintiff’s Unopposed Motion to Withdraw Previous Motion for Leave to File Third Amended Complaint and Join Co-Plaintiffs’ Motion for Leave to File Joint Third Amended Complaint (Doc. 75) is hereby granted. Plaintiff Oxford House’s Motion to Amend (Doc. 69) is deemed withdrawn and is therefore denied as moot.

IT IS SO ORDERED.

Dated this 22nd day of January, 2007, at Topeka, Kansas.

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