

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DAVID A. LUTZ,

Plaintiff,

vs.

Case No. 07-1039-JTM

RIGHT TIME HOLDINGS, LLC, WILLIAM
KENNEDY, and JAMES M. LOFTIS,

Defendants.

MEMORANDUM AND ORDER

Defendants Right Time Holdings, William Kennedy, and James Loftis have moved to compel arbitration. (Dkt. No. 2). Subsequently both defendants and plaintiff David Lutz have filed a Joint Motion seeking to withdraw the motion to compel without prejudice to file a new, similar motion within 15 days of an order consolidating this action with Case No. 07-1107-WEB. For good cause shown, the motion to withdraw (Dkt. No. 10) is hereby granted this 25th day of May, 2007.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE