

IT IS THEREFORE ORDERED that defendant's Motion to Deny Without Prejudice Plaintiff's Motion for Summary Judgment or, Alternatively, Motion for Extension of Time for Defendant to Respond to Summary Judgment (Doc. 15) is granted in part and denied in part.

IT IS FURTHER ORDERED that defendant has until February 13, 2009 to respond to plaintiff's Motion for Summary Judgment (Doc. 11).

Dated this 14th day of January 2009, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge