IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Plaintiff,

VS.

Case No. 09-10057-01,-03-JTM

 $\label{eq:Kaylene} \text{Kaylene J. "Katie" Pottorff, et al.}$

Defendants.

MEMORANDUM AND ORDER

Consistent with and for the reasons stated at the hearing conducted July 21, 2010, it is according ordered that the joint Motion to Dismiss of defendants Pottorff and Garland (Dkt. 47) is hereby denied.

IT IS SO ORDERED this 6th day of August, 2010.

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