

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

PAMELA TOWNSEL MONTGOMERY)
as the next of kin of and personal)
representative of EVERLINA SMITH,)
deceased,)

Plaintiff,)

vs.)

No. 02-3002-BV

SHELBY COUNTY, TENNESSEE d/b/a)
OAKVILLE HEALTHCARE CENTER, et al.,)

Defendants.)

ORDER DENYING AS MOOT DEFENDANT BRENDA CONRY'S MOTION FOR AN
ORDER COMPELLING PLAINTIFF TO ANSWER INTERROGATORIES AND TO
STRIKE OBJECTIONS

Before the court is the April 23, 2004 motion of Defendant Brenda Conry, pursuant to Rule 37 of the Federal Rules of Civil Procedure, for an order compelling the plaintiff, Pamela Townsel Montgomery, to answer the defendant's interrogatories and to strike the plaintiff's objections to those interrogatories. The motion was referred to the United States Magistrate Judge for determination.

In her response filed May 13, 2004, the plaintiff supplemented her initial responses to Conry's interrogatories and represented to the court that she will continue to supplement her responses as additional information and documentation becomes available. It appears to the court that the motion is now moot and is accordingly

denied as such. Each party to bear its own costs and attorney fees.

IT IS SO ORDERED this 1st day of June, 2004.

DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE