

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

NITA ADAMS,

Plaintiff,

vs.

CRIMINAL ACTION NO. 2:06CV109

**FOXWATER, INC., a West Virginia Corporation,
and THE WHISTLEPUNK COMPANY, INC., a
West Virginia Corporation**

Defendant.

ORDER

On the 11th day of January, 2008, Plaintiff, through Counsel, filed a Motion for Order Compelling Discovery relative to Defendant Foxwater, Inc. [Docket Entry 45]. On January 28, 2008, Plaintiff filed a document titled, "Withdrawal of Plaintiff's Motion for Order Compelling Discovery," asserting therein that Defendant had filed the requested discovery responses on January 24, 2008, and, therefore, Plaintiff was withdrawing her previously filed Motion for Order Compelling Discovery [Docket Entry 57].

The Court has confirmed, through an inspection of the electronic docket sheet in the above referenced civil action, that Defendant Foxwater, Inc., did file its Response to Plaintiff's Requests for Production of Documents on January 24, 2008 [Docket Entry 56].

In consideration of all which, the Court, hereby **GRANTS** Plaintiff's request to withdraw her January 11, 2008, Motion for Order Compelling Discovery [Docket Entry 47] and **DENIES**, as moot, Plaintiff's Motion for Order Compelling Discover [Docket Entry 45].

It is so **ORDERED**.

The District Clerk for the Northern District of West Virginia is directed to provide a copy of this order to counsel of record.

DATED: January 29, 2008



JOHN S. KAUL
UNITED STATES MAGISTRATE JUDGE