

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

APR 01 2005

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

JAMES W. MCCORMACK, CLERK
E/

MICHAEL GALSTER

PLAINTIFF

VS.

NO. 4-03-CV-01013 GTE

KELLY DUDA

DEFENDANT

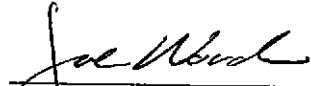
**PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO STAY ENFORCEMENT
ORDER ON DEFENDANT'S COUNTER-CLAIM**

COMES NOW the plaintiff/counter-defendant, and for his response states:

1. The parties entered into a settlement agreement on February 9th, 2005.
2. Pursuant to instruction by this Court, plaintiff's counsel informed the Court of the settlement. The Court, sua sponte, entered an Order of Dismissal.
3. Defense counsel has provided plaintiff's counsel with a more detailed proposed settlement agreement that both parties hope will replace the settlement reached by letter agreement on February 9th, 2005. Nevertheless, a final settlement has taken place.
4. As of today, April 1, 2005, plaintiff's counsel has informed Steve Smith, Esq., defendant's former attorney, that he is free to release all material in his possession to the defendant.
5. Defendant's motion to stay is moot because there is already in place a final settlement agreement and this Court has entered its Order of Dismissal. In the alternative, should this Court stay the Defendant's counter-claim, plaintiff's respectfully request that dismissal of the plaintiff's claims be stayed as well.

WHEREFORE, PREMISES CONSIDERED, plaintiff's pray this Court deny defendant's motion to stay in its entirety; in the alternative, plaintiff's pray this Court stay dismissal of the plaintiff's claims.


Respectfully Submitted,



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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing was served on defense counsel, Robert Cortinez, II, 1421 South Main Street, Little Rock, Arkansas 72202, via facsimile at 501.375.7669 on April 1, 2005.


Joe Woodson