

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

SEP 25 2001 *J*

AMARILLO DIVISION

CLERK, U.S. DISTRICT COURT
By *ph*
Deputy

MITCHELL S. WARSTADT, DOUGLAS §
G. SCRIBNER, RICHARD CAUDLE, §
NORMAN TEMPIA, and ROBERT M. §
DANDREA, on Behalf of Themselves and §
All Others Similarly Situated, §
§
Plaintiffs, §
v. §
§
HASTINGS ENTERTAINMENT, INC., §
JOHN MARMADUKE, DENNIS McGILL, §
and THOMAS NUGENT, §
§
Defendants. §

CIVIL ACTION NUMBER
2:00-CV-089-J

Consolidated with Civil Actions:
2:00-CV-131
2:00-CV-153
2:00-CV-157
2:00-CV-158

ORDER DENYING MOTION TO DISMISS

Before the Court is a motion to dismiss filed on December 11, 2000.

This motion is denied without prejudice to the grounds for dismissal raised therein being reurged after the Rule 16 deadline for completion of all discovery.

It is SO ORDERED.

Signed this the 25th day of September, 2001.

Mary Lou Robinson

MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE

