

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**MICHELINE HENRY individually,
and as mother and next of [sic] friend,
of ANNIESHA MONDESIR,**

Plaintiffs,

v.

KMART CORPORATION,

Defendant.

2004-CV-0096

**TO: Lee J. Rohn, Esq.
Wilfredo A. Geigel, Esq.**

ORDER REGARDING PLAINTIFF'S MOTION TO ENFORCE SETTLEMENT

THIS MATTER came before the Court upon Plaintiff's Motion to Enforce Settlement as to Travel Expenses (Docket No. 101). Defendant filed an opposition to said motion, and Plaintiff filed a reply thereto.

Plaintiff claims that "Defendant continues to refuse to pay the agreed \$874.58 to Plaintiff Henry." Motion at 1-2. Defendant counters that the amount was paid. In her reply, Plaintiff acknowledges receipt of the check and, in fact, provided a copy of the check as an attachment. Because the amounts due have been paid, the Court finds the issue moot.

Henry v. Kmart Corp.

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Order Regarding Plaintiff's Motion to Enforce Settlement

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Accordingly, it is now hereby **ORDERED** that Plaintiff's Motion to Enforce Settlement as to Travel Expenses (Docket No. 101) is **DENIED AS MOOT**.

ENTER:

Dated: January 6, 2009

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE