

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

DANIEL WALLACE,	)	
	)	
Plaintiff,	)	
vs.	)	1:05-cv-0678-SEB-VSS
	)	
INTERNATIONAL BUSINESS MACHINES	)	
CORPORATION, et al.,	)	
	)	
Defendants.	)	

**Entry Concerning Selected Matters**

The court, having considered the above action and the matters which are pending, makes the following rulings:

1. The plaintiff's motion to amend complaint is **granted**. The clerk shall file and docket the tendered amended complaint, and a copy of that document shall be included with the distribution of this Entry.
2. The motion to dismiss of defendant International Business Machines Corporation is **denied** in light of the filing of the amended complaint.
3. The plaintiff's motion for summary judgment appears to present evidence and argument relevant to the claim in the amended complaint. It need not be re-filed. The defendants shall have **through September 9, 2005**, in which to respond to the plaintiff's motion for summary judgment.

**IT IS SO ORDERED.**

Date: \_\_\_\_\_

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