

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CIVIL ACTION

VERSUS

NO. 09-3044


AQ BOAT LLC, E T AL

SECTION "C" (3)

ORDER AND REASONS

IT IS ORDERED that the motion for summary judgment is DENIED without prejudice. (Rec. Doc. 34). There is no stipulation or discussion as to the applicable law or choice of law in any of the memoranda, although at least one of the documents presented indicates that "[t]his Guaranty Agreement shall be governed by the federal law of the United States of America or in the absence of applicable federal law by the laws of the state of New York." Rec. Doc. 34, Exh. 1, p. 7. As previously indicated, the Court has previously experienced problems with counsel's joint agreements that trial issues can be resolved on motion, and prefers to receive a pre-trial order, hold the pre-trial conference and hold a trial on memoranda and stipulations, if appropriate.

New Orleans, Louisiana, this 1st day of June, 2010.


HELEN G. BERRIGAN
UNITED STATES DISTRICT JUDGE