

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES, ex rel., RIECK GROUP, LLC,	:	
	:	
Plaintiff,	:	Case No. 3:08cv172
vs.	:	JUDGE WALTER HERBERT RICE
MONARCH CONSTRUCTION COMPANY, et al.,	:	
	:	
Defendants.	:	

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OPINION SUSTAINING IN PART AND OVERRULING IN PART  
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGEMENT  
(DOC. #27); OPINION OVERRULING DEFENDANTS' CROSS MOTION  
FOR PARTIAL SUMMARY JUDGMENT (DOC. #30); OPINION  
SUSTAINING IN PART AND OVERRULING IN PART DEFENDANTS'  
OBJECTIONS (DOC. #46) TO THE MAGISTRATE JUDGE'S REPORT  
AND RECOMMENDATIONS (DOC. #45); SAID JUDICIAL FILING  
ADOPTED IN PART AND REJECTED IN PART; THIS OPINION IS NOT A  
FINAL APPEALABLE ORDER

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Based on reasoning and citations of authority to be set forth in an expanded opinion which will be filed shortly, the Court sustains in part and overrules in part Plaintiff's Motion for Partial Summary Judgment (Doc. #27); overrules Defendants' Cross Motion for Partial Summary Judgment (Doc. #30); and sustains in part and overrules in part Defendants' Objections (Doc. #46) to the Report and

Recommendations of the Magistrate Judge (Doc. #45). Said judicial filing is adopted in part and rejected in part. Since this is not a final appealable order, this Court directs the Clerk of Courts not to enter judgment herein.

September 30, 2009

/s/ Walter Herbert Rice  
WALTER HERBERT RICE, JUDGE  
UNITED STATES DISTRICT COURT

Copies to:

Counsel of Record.