

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

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|--------------------|---|------------------|
| RISOLETA M. KUBEK, |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:04cv29-MHT |
| |) | (WO) |
| NORA KUBEK JONES, |) | |
| et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

In an order dated March 31, 2009, this court denied summary judgment to plaintiff Risoleta M. Kubek (Doc. No. 134). For the reasons given in that order, the court is now of the opinion that summary judgment in favor of defendant Nora Kubek Jones may be appropriate. See Fed. R. Civ. P. 56(f) ("Judgment Independent of the Motion. After giving notice and a reasonable time to respond, the court may: (1) grant summary judgment for a nonmovant; (2) grant the motion on grounds not raised by a party; or (3) consider summary judgment on its own after identifying for the parties material facts that may not be genuinely in dispute.").

Accordingly, it is ORDERED that plaintiff Risoleta M. Kubek show cause, if any there be, in writing by September 16, 2011, as to why summary judgment in favor of defendant Nora Kubek Jones is inappropriate.

DONE, this the 2nd day of September, 2011.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE