

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

PENNSYLVANIA NATIONAL MUTUAL	)	
CASUALTY INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
	)	CASE NO. 2:11-cv-215-MEF
v.	)	
	)	(WO – Do Not Publish)
HOWARD SNIDER; PAM SNIDER;	)	
JEFF BEALE HOMES and JEFF BEALE,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is Plaintiff Pennsylvania National Mutual Casualty Insurance Company’s Motion to Withdraw Pending Dispositive Motion and to Amend Scheduling Order (Doc. #33) filed on October 4, 2012. On October 12, 2012, Defendants Jeff Beale Homes and Jeff Beale (the “Beale Defendants”) filed a Response Brief to Plaintiff’s Motion for Summary Judgment (Doc. #35) in which they request that the Court order Plaintiff to continue to provide them with a defense throughout post-trial motions and appeal.

Having considered the foregoing, it is hereby ORDERED that Plaintiff’s Motion to Withdraw Pending Dispositive Motion and to Amend Scheduling Order (Doc. #33) is GRANTED. A revised scheduling order continuing **only** the deadline to submit dispositive motions to January 15, 2013 will be entered separately. Plaintiff’s previously filed Motion for Summary Judgment (Doc. #27) is DENIED with leave to refile. Further, to the extent the Beale Defendants’ Response in Opposition to Plaintiff’s Motion for Summary Judgment

(Doc. #35) seeks an order from the Court directing Plaintiff to continue providing them with a post-trial defense, it is likewise DENIED with leave to refile. A new briefing schedule will be entered upon the refiling of any dispositive motions.

DONE this the 2<sup>nd</sup> day of November, 2012.

/s/ Mark E. Fuller  
United States District Court Judge