

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

CARTER BROTHERS)
MANUFACTURING COMPANY, INC.)

Plaintiff,)

v.)

LUMBERMEN'S UNDERWRITING)
ALLIANCE, an Inter-)
insurance exchange company,)

Defendant and Third-)
Party Plaintiff,)

v.)

REGIONS BANK, et al.,)

Third-Party)
Defendants.)

CIVIL ACTION NO.
2:11cv251-MHT
(WO)

ORDER

Based on the representations made to the court in an on-the-record conference call on July 27, 2012, it is ORDERED as follows:

- (1) The motion for reconsideration (Doc. No. 230) is granted as to the bad-faith claim and denied in all other respects. During the conference call,

the court stated its reasons for its denial of summary judgment as to all claims except the bad-faith claim.

(2) The bad-faith claim, Count II of the amended complaint (Doc. No. 28), is dismissed.

(3) The alternative motion for certification of the denial of summary judgment for appeal (Doc. No. 230) is denied.

It is further ORDERED that the motion for clarification (Doc. No. 234) is granted as follows:

(1) By agreement of the parties, all issues as to third-party defendants Regions Bank, First Commercial Bank, and Industrial Development Board of the City of Brundidge are to be resolved non-jury after the jury trial.

(2) Third party defendants Regions Bank, First Commercial Bank, and Industrial Development Board of the City of Brundidge are excused from participation in the jury trial.

It is further ORDERED that the motion for leave not to have corporate representatives at trial, etc. (Doc. No. 249) is denied as moot.

It is further ORDERED that the motion to strike (Doc. No. 246) is denied.

It is further ORDERED that third-party defendants Marlin Business Bank and Wells Fargo Equipment Finance, Inc. are dismissed and terminated as parties.

DONE, this the 27th day of July, 2012.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE