Discover Property & Casualty Insurance Company v. The Mitchell Company, Inc. Doc. 68

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

DISCOVER PROPERTY & CASUALTY INSURANCE CO.,	)	
Plaintiff/Counterclaim-Defendant,	)	
	)	
v.	)	**CIVIL ACTION NO. 10-00663-KD-M**
	)	
THE MITCHELL CO., INC.,	)	
Defendant/Counterclaim-Plaintiff.	)	

JUDGMENT

In accordance with the order entered this date (Doc. 67) granting the motion for summary judgment filed by Plaintiff Discover Property & Casualty Insurance Co. ("Discover") (Doc. 28), it is hereby:

1. **DECLARED** that the commercial property insurance policy, Policy No. DM004Z00067, issued by Discover does not provide coverage to Defendant The Mitchell Company ("Mitchell") for the alleged theft of copper piping and fixtures on or about July 2006 from units that Mitchell did not own at the Colonial Manor apartment complex in Pascagoula, Mississippi.
2. **ORDERED, ADJUDGED** and **DECREED** that the counterclaims of Defendant Mitchell against Plaintiff Discover are **DISMISSED with prejudice**.

Each party shall bear its own costs.

DONE and **ORDERED** this the **21st** day of **October 2011**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

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