

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

HORTICA-FLORISTS' MUTUAL
INSURANCE COMPANY

PLAINTIFF

VS.

CASE NO. 07-cv-1119

PITTMAN NURSERY CORPORATION,
DONNA SUE PITTMAN KING,
ARCELIA MONTIZE, EVENCIO GARCIA,
AGUSTIN GARCIA GONZALEZ,
and JOHN-MICHAEL HUNTER

DEFENDANTS

ORDER

Before the Court is a Motion for Partial Summary Judgment filed by Plaintiff, Hortica-Florists' Mutual Insurance Company ("Hortica"). (Doc. 96). Separate Defendant Pittman Nursery Corporation ("PNC") has responded. (Docs. 103, 106). Separate Defendants Arcelia Montize, Evencio Garcia, and Agustin Garcia Gonzalez also have responded. (Doc. 101). Hortica filed a reply. (Doc. 108). PNC has filed a sur-reply. (Doc. 111). The Court finds this matter ripe for consideration. For the reasons discussed in the Memorandum Opinion of even date, the Court finds that Hortica has a duty to defend PNC in the Montize and Hunter Litigations. Accordingly, Hortica's Motion for Partial Summary Judgment (Doc. 96) is **DENIED**.

IT IS SO ORDERED, this 2d day of March, 2010.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge