1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT FOR THE 6 EASTERN DISTRICT OF CALIFORNIA 7 8 MARYLAND CASUALTY COMPANY, 1:10-2242 AWI JLT 9 Plaintiff. ORDER GRANTING PLAINTIFF'S 10 MOTION FOR SUMMARY JUDGMENT IN PART AND v. 11 DENYING PLAINTIFF'S MOTION OLGA GOMZALEZ, et al., FOR JUDGMENT IN PART AS SET 12 FORTH IN DISTRICT COURT Defendants. JUDGE OLIVER W. WANGER'S **AUGUST 19, 2011 ORDER** 13 14 On August 19, 2011, District Court Judge Oliver W. Wanger issued a memorandum 15 decision regarding Plaintiff's motion for summary judgment. Judge Wanger's order concluded 16 17 as follows: 18 For the reasons stated, IT IS ORDERED: 1) Plaintiff's motion for summary judgment is GRANTED with respect to the 19 absence of coverage for G & Company, Inc.; 2) The balance of Plaintiff's motion for summary judgment is DENIED; and 20 3) Defendant shall submit a form of order consistent with this memorandum decision within five days of electronic service of this decision. 21 22 (August 19, 2011 Order, CM/ECF #66). Pursuant to this order, Defendants filed a proposed 23 order on September 9, 2011. Due to administrative error, this order was never signed by Judge 24 Wanger. 25 On September 14, 2011, this action was re-assigned in light of Judge Wanger's 26 impending retirement. This action was assigned to the undersigned on September 27, 2011. 27 The court has reviewed this action and Judge Wanger's August 19, 2011 order. The 28 court has determined that it was clearly Judge Wanger's intent to resolve the motion for

summary judgment as stated at the end of his August 19, 2011 order. However, the request for a proposed order on the motion, the failure to sign any proposed order, and multiple reassignments appears to have created confusion regarding the opperative date of the August 19, 2011 order. As such, the court will make the August 19, 2011 order final pending service of this order.

Accordingly, the court ORDERS that Plaintiff's motion for summary judgment is GRANTED with respect to the absence of coverage for G & Company, Inc. and DENIED in all other respects for the reasons set forth in Judge Wanger's August 19, 2011 order. IT IS SO ORDERED.

Dated: October 7, 2011

CHIEF UNITED STATES DISTRICT JUDGE