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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

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| <p><b>STEVEN ARIZAGA</b></p> <p>Plaintiff,</p> <p>v.</p> <p><b>JOHN BEAN TECHNOLOGIES CORPORATION,</b></p> <p>Defendant.</p> |
| <p><b>AND RELATED ACTION</b></p>   |

1:13-cv-1981-MJS

**ORDER FOR FURTHER BRIEFING**

On January 25, 2016, the Court denied Third-Party Defendant Ventura Coastal LLC's ("Ventura") motion for summary judgment. (ECF No. 55.) At the same time, the Court notified Ventura of its inclination to grant summary judgment in favor of Third-Party Plaintiff John Bean Technologies Corporation ("Bean") and provided Ventura an opportunity to respond.

Ventura filed its response on February 8, 2016 (ECF No. 56), raising numerous issues regarding interpretation of the phrase "arising out of the Work" in the subject

1 contract. Interpretation of this phrase also was the primary subject of Ventura's motion  
2 for summary judgment.

3 Given the extent and breadth of Ventura's brief and the evidence associated  
4 therewith, the Court concludes it cannot proceed without affording Bean the opportunity  
5 to respond. Accordingly, it is HEREBY ORDERED that:

- 6 1. Bean may file, within fourteen days of this order, a response to Ventura's  
7 brief, including whether the brief should be treated as a motion for  
8 reconsideration of the order denying summary judgment; and
- 9 2. Ventura may file a reply within seven days of Bean's response.

10 IT IS SO ORDERED.  
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12 Dated: February 9, 2016

*/s/ Michael J. Seng*  
13 UNITED STATES MAGISTRATE JUDGE  
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