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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CALEB E. BELCHER AND CLB, by and through his guardian ad litem CALEB E. BELCHER, Plaintiffs, v. UNITED STATES OF AMERICA, Defendant.	No. 2:13-CV-01699-GEB-KJN **ORDER DENYING THE GOVERNMENT'S MOTION FOR SUMMARY JUDGMENT***

The Government's pending motion, filed on July 28, 2014, (ECF No. 17), is denied because a disputed factual issue exists concerning whether the driver of the vehicle involved with the accident in which the child, CLB, was injured violated any duty of ordinary care owed to CLB.

Dated: October 3, 2014

GARLAND E. BURRELL, JR.
Senior United States District Judge

* The hearing on October 6, 2014, is vacated since this matter is suitable for decision without oral argument. E.D. Cal. R. 230(g).

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