

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Zita L. Weinshienk

Civil Action No. 08-cv-00377-ZLW-MEH

CHAD M. WIESE,

Plaintiff,

v.

CENTEX HOMES,

Defendant.

ORDER

This matter was before the Court on May 27, 2009, for oral argument on (1) Plaintiff's Motion For Summary Judgment and (2) Defendant's Motion For Summary Judgment. The Court heard the arguments and statements of counsel, and made oral conclusions of law which are incorporated herein by reference as if fully set forth.

Accordingly, it is

ORDERED that Plaintiff's Motion For Summary Judgment (Doc. No. 43) is granted. It is

FURTHER ORDERED that Defendant's Motion For Summary Judgment (Doc. No. 41) is denied. It is

FURTHER ORDERED that this case will proceed to a jury trial on the issue of damages.

DATED at Denver, Colorado this 2nd day of June, 2009.

BY THE COURT



ZITA L. WEINSHIENK, Senior Judge
United States District Court