

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn

Civil Action No. 09-cv-02977-REB-KLM

IOWA PACIFIC HOLDINGS, LLC,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER CORPORATION,

Defendant.

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ORDER DENYING DEFENDANT AMTRACK'S RENEWED  
MOTION FOR PARTIAL SUMMARY JUDGMENT ON  
PLAINTIFF'S CLAIM FOR BREACH OF ORAL CONTRACT

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**Blackburn, J.**

The matter before me is **Defendant Amtrack's Renewed Motion for Partial Summary Judgment on Plaintiff's Claim for Breach of Oral Contract** [#107]<sup>1</sup> filed April 25, 2011. I have jurisdiction over this matter pursuant to 28 U.S.C. § 1332 (diversity of citizenship). Having reviewed the motion and response and the apposite arguments, authorities, and evidence presented by the parties, I find and conclude that there exist genuine issues of material fact that preclude the entry of even partial summary judgment.

**THEREFORE, IT IS ORDERED** that **Defendant Amtrack's Renewed Motion for Partial Summary Judgment on Plaintiff's Claim for Breach of Oral Contract** [#107], filed April 25, 2011, is **DENIED**;

Dated June 10, 2011, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge

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<sup>1</sup> "[#107]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.