

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	Case No. 08-10960(KG)
IDLEAIRE TECHNOLOGIES CORPORATION,	)	
	)	
Debtor.	)	
_____	)	
WAUSAU BUSINESS INSURANCE COMPANY	)	
and EMPLOYERS INSURANCE OF WAUSAU	)	
COMPANY,	)	
	)	
Plaintiffs/Counterclaim Defendants,	)	
	)	
v.	)	Adv. No. 08-51227(KG)
	)	
IDLEAIRE TECHNOLOGIES CORPORATION,	)	
	)	
Debtor/Defendant/Counterclaim Plaintiff,	)	
	)	
and	)	
	)	
NANCY YOUNGER and	)	
ESTATE OF WILLIAM YOUNGER,	)	
	)	
_____ Claimants/Movants/Defendants.	)	<b>Re Dkt Nos. 11 &amp; 17</b>


**ORDER**

In this adversary proceeding, plaintiffs Wausau Business Insurance Company and Employers Insurance of Wausau Company (“plaintiffs”) have moved for summary judgment declaring that coverage under policies they issued to defendant IdleAire Technologies Corporation (“Debtor”) is unavailable because of policy exclusions (“Ground I”) and that Debtor violated policy terms thereby eliminating coverage (“Ground II”). The defendants, Nancy Younger and the Estate of William Younger (“defendants”), have cross moved for

summary judgment on Ground I. For the reasons set forth in the companion Memorandum Opinion,

IT IS HEREBY ORDERED this 18<sup>th</sup> day of February, 2009, that:

1. Plaintiffs' motion for summary judgment on Ground I and Ground II is DENIED.
2. Defendants' cross motion for summary judgment on Ground I is GRANTED.

A handwritten signature in black ink, appearing to read "Kevin Gross", written over a horizontal line.

KEVIN GROSS, U.S.B.J.