

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-61676-CIV-ZLOCH

PETER SOUZA, as Assignee of
The Insurance Corp. of
New York,

Plaintiff,

vs.

PARTIAL FINAL SUMMARY JUDGMENT

CLAIMS CONTROL, INC., et al.,

Defendants.
_____ /

THIS MATTER is before the Court upon Defendants Aequicap Claims Service, Inc. f/k/a Claims Control, Inc., Aequicap Services Group, Inc., f/k/a TFG Risk Services, Inc., and Aequicap, Inc. f/k/a Transportation Financial Group, Inc.'s Omnibus Motion For Summary Judgment (DE 51). By separate Order of the Court, the instant Motion was granted in part and denied in part. For the reasons set forth therein, and pursuant to Federal Rules of Civil Procedure 56 and 58, it is

ORDERED AND ADJUDGED that Partial Final Summary Judgment be and the same is hereby **ENTERED** in favor of Defendants Aequicap Claims Service, Inc. f/k/a Claims Control, Inc., Aequicap Services Group, Inc., f/k/a TFG Risk Services, Inc., and Aequicap, Inc. f/k/a Transportation Financial Group, Inc.'s and against Plaintiff Peter Souza as follows:

1. The above styled cause be and the same is hereby **DISMISSED**, with prejudice, as to Aequicap Services Group, Inc.,

f/k/a TFG Risk Services, Inc., and Aequicap, Inc. f/k/a Transportation Financial Group, Inc. As to Defendants Aequicap Services Group, Inc., f/k/a TFG Risk Services, Inc. and Aequicap, Inc. f/k/a Transportation Financial Group, Inc. Plaintiff Peter Souza, shall take nothing by this action, and said Defendants shall go hence without day; and

2. Counts II, III, and IV of Plaintiff Peter Souza's Amended Complaint (DE 33) be and the same are hereby **DISMISSED**, with prejudice. Regarding said Counts, Plaintiff shall take nothing by this action, and Defendants shall go hence without day.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this 21st day of December, 2006.



WILLIAM J. ZLOCH
Chief United States District Judge

Copies Furnished:

Richard Mark Benrubi, Esq.
For Plaintiff

Mark Richard Boyd, Esq.
Valerie Shea, Esq.
For Defendants