



*Co. v. Mackey*, 351 U.S. 427, 436 (1956)). After a court finds finality, it must determine whether there is any just reason for delay. *Curtiss-Wright Corp.*, 446 U.S. at 8.

Here, the Court granted NES' Cross-Motion for Summary Judgment to the extent it sought a declaration that the Rental Agreement is an "insured contract." (Doc. 95). The Court's determination that the Rental Agreement is an insured contract was a judgment because it was a decision upon a cognizable claim for relief. It was final because it ultimately disposed of the issue of whether Plaintiff North American Specialty Insurance Company's Commercial General Liability policy provides coverage for NES' crossclaim. However, the Court finds just reason for delay because the remaining issues in this action will be brought to trial during the week of August 22, 2011, and the Court expects that all coverage issues will be resolved shortly. Accordingly, the Motion for Entry of Final Judgment is **DENIED**.

**SO ORDERED**, this the 8th day of August, 2011.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT