

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

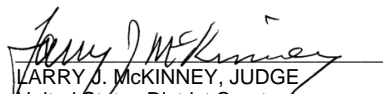
IN RE: METHOD OF PROCESSING)	
ETHANOL BYPRODUCTS AND)	
RELATED SUBSYSTEMS ('858) PATENT)	No. 1:10-ml-02181-LJM-DML
LITIGATION)	
)	
RELATED CASE:)	
)	
1:10-cv-08011-LJM-DML)	

ORDER ON PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Plaintiff GS CleanTech's Motion for Summary Judgment on Defendant Adkins Energy, LLC's ("Adkins"), counterclaim for breach of contract, Dkt. No. 787, is **DENIED**.

Motions for summary judgment are governed by Federal Rule of Civil Procedure 56(a), which provides in relevant part: "The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Here, there remain many issues of fact within the assertions of the motion. There are issues of fact surrounding the development of and cessation of the COES I project, the COES II project, the issue of damage and Adkins' assertion that it is entitled to a license, just to name the more prominent concerns.

IT IS SO ORDERED this 21st day of May, 2013.



LARRY J. MCKINNEY, JUDGE
United States District Court
Southern District of Indiana

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