

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

TERESITA V. HERNANDEZ	*	CIVIL ACTION
VERSUS	*	NO: 08-4686
KAVO DENTAL CORPORATION	*	SECTION: "D"(3)

ORDER AND REASONS

Before the court is the **"Motion for Summary Judgment"** (Doc. No. 18) filed by Defendants, KaVo Dental Corporation. Plaintiff, Dr. Teresita V. Hernandez, opposes the motion. The motion, set for hearing on Wednesday, November 18, 2009, is before the court on briefs, without oral argument. Now, having considered the memoranda of counsel, the record, and the applicable law, the court finds that there are genuine issues of material fact as to the date Plaintiff knew that the KaVo equipment used in her dental office was a cause of her hearing loss.

Accordingly;

IT IS ORDERED that Defendant's **"Motion for Summary Judgment"** (Doc. No. 18) be and is hereby **DENIED**.

New Orleans, Louisiana, this **19th** day of **November**, 2009.



A.J. McNAMARA
UNITED STATES DISTRICT JUDGE