

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FRANK LOMBARDO

CIVIL ACTION

VERSUS

NO: 09-512

STATE FARM FIRE AND CASUALTY
INSURANCE COMPANY

SECTION: J(5)

ORDER

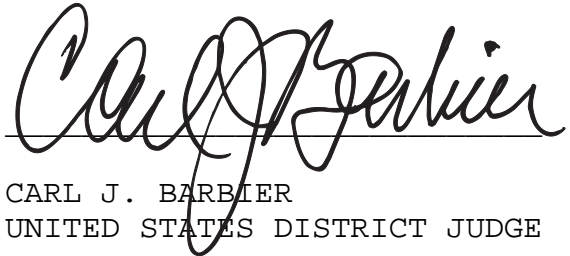
Having been advised that Plaintiff does not oppose Defendant State Farm's **Motion for Summary Judgment (Rec. Doc. 35)** as it relates to Plaintiff's Additional Living Expenses ("ALE") claims,

IT IS ORDERED that Defendant State Farm's **Motion for Summary Judgment (Rec. Doc. 35)** is partially **GRANTED** and that **Plaintiff's claims for ALE are DISMISSED, with prejudice.**

IT IS FURTHER ORDERED that for reasons stated in Lightell v. State Farm Fire and Casualty Co., No. 08-4393, 2009 WL 4505942 at *2-3 (E.D. La. Nov. 25, 2009) (citing Dickerson v. Lexington Insurance Co., 556 F.3d 290, 295 (5th Cir. 2009); Smith v. American Family Life Assur. Co. of Columbus, 584 F.3d 212, 218 (5th Cir. 2009); Doerr v. Mobil Oil Corp., 774 So.2d 119, 124 (La. 2000)), Defendant State Farm's **Motion for Summary Judgment**

(Rec. Doc. 35) is hereby **DENIED** as to the remainder of
Plaintiff's claims.

New Orleans, Louisiana this 6th day of January, 2010.



CARL J. BARBIER
UNITED STATES DISTRICT JUDGE