

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

WILBERT DION

CIVIL ACTION

VERSUS

NO: 13-5222

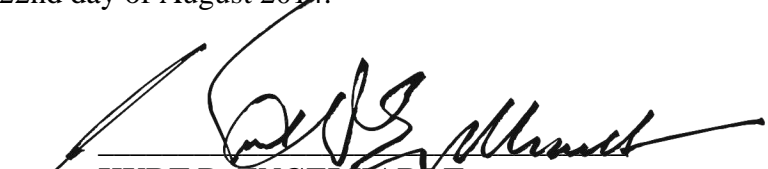
LOW LAND CONSTRUCTION CO., INC.

SECTION: "N" (3)

**ORDER AND REASONS**

Pending before the Court is Defendant's motion (Rec. Doc. 73) seeking leave to file a motion for partial summary judgment.<sup>1</sup> On the present showing made, **IT IS ORDERED** that the motion is **DENIED**. Specifically, although the proposed motion otherwise appears worthy of close consideration by the Court, Defendant has not demonstrated good cause for its failure to file the motion with the applicable deadline.<sup>2</sup> This ruling is without prejudice to Defendant's right to make a motion pursuant to Rule 50 of the Federal Rules of Civil Procedure. It likewise is without prejudice to Defendant's right to timely submit a motion in limine regarding punitive damages if the motion requires resolution of a question of law rather than an evidentiary assessment more properly addressed via summary judgment motion.

New Orleans, Louisiana, this 22nd day of August 2014.



**KURT D. ENGELHART**  
United States District Judge

---

<sup>1</sup> The Court's July 30, 2014 order (Rec. Doc. 71) continuing the August 4, 2014 trial date did not re-open the dispositive motion deadline.

<sup>2</sup> The Court notes that the transcripts attached to Defendant's proposed motion are for depositions taken prior to the dispositive motion deadline.