

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST. COURT
MIDDLE DISTRICT OF LA

2009 APR 22 A 10:17

CURTIS M. VIRGES
VERSUS
THE TITAN COMPANY, ET AL

CIVIL ACTION
NUMBER 07-797-FJP-SCR

BY DEPUTY CLERK


RULING

After reviewing the entire record in this case, the Court finds that there are material issues of fact in dispute which preclude the Court from granting a summary judgment at this time. The Court notes the following issues, among others, are in dispute: (1) whether the vehicle that struck plaintiff's vehicle was actually stopped; and (2) whether the vehicle that struck plaintiff's vehicle was stopped at a reasonable and sufficient distance from plaintiff's vehicle at the time of the accident.

Therefore:

IT IS ORDERED that the motion of Malcolm Tony Pierce, House of Raeford Farms, Inc., and Zurich American Insurance Company, is denied.

Baton Rouge, Louisiana, this 21 day of April, 2009.


FRANK J. POLOZOLA
MIDDLE DISTRICT OF LOUISIANA