

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

ADVANTAGE ROOFING & CONSTRUCTION OF
LOUISIANA, INC.

VERSUS

MW BUILDERS, INC, ET AL.

CIVIL ACTION

NO. 09-589-JJB

RULING AND ORDER

This matter is before the court on a motion by MW Builders for partial summary judgment (doc. 52). Advantage Roofing has filed an opposition; MW Builders has filed a reply brief. There is no need for oral argument.

MW Builders seeks summary judgment on plaintiff's claim to reform the contract. Having carefully considered this matter, the court agrees with defendant that plaintiff has failed to create a genuine issue of material fact for trial on the reformation claim. Advantage has failed to identify the provisions of the subcontract that purportedly need to be reformed. The opposition brief refers generally to the affidavit of Jimmy Strawbridge and exhibits thereto. Defendant persuasively argues that there is no genuine issue of material fact as to mutual mistake needed to reform the contract.

Accordingly, the motion (doc. 52) by defendant for partial summary judgment is hereby GRANTED. Baton Rouge, Louisiana, ~~November~~ ^{December} 13th, 2011.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA