

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

KENT CONSTRUCTION CO.,	*	
	*	
Plaintiff,	*	
v.	*	Case No. TJS-12-2839
	*	
GLOBAL FORCE AUCTION GROUP, LLC., <i>et al.</i> ,	*	
	*	
Defendants.		
		* * * * *

MEMORANDUM

On September 10, 2015, the Court granted in part and denied in part Plaintiff Kent Construction Company’s (“Kent”) Motion for Summary Judgment (ECF No. 64) and entered judgment in favor of Kent with regard to Count Eight (Conversion) and Count Nine (Fraud) of the Revised Second Amended Complaint (ECF No. 61). (ECF Nos. 68 & 69.) The Motion for Summary Judgment was denied as to Count Six (Breach of Fiduciary Duty) and Count Seven (Misappropriation). (*Id.*)

The Court noted that because Defendant Harry R. Ruby (a/k/a Jay R. Ruby, Jr. and Jay Ruby) (“Mr. Ruby”) did not file a motion for summary judgment, Counts Six and Seven remained pending against him. (*See* ECF No. 68 at 17.) The Court advised the parties that it “intend[ed] to enter summary judgment *sua sponte* in Mr. Ruby’s favor with regard to [Counts Six and Seven]” based on the reasoning set forth in its September 10, 2015 memorandum (ECF No. 68). The Court allowed the parties to file papers in opposition to summary judgment by September 18, 2015. (*Id.*) To date, the Court has received no such papers.

