

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PHILIP PEAKE

Plaintiff,

Case No. 2:05-CV-72520
Judge Denise Page Hood

v.

NATIONAL CITY BANK OF MICHIGAN,

Defendant.

_____/

**ORDER DENYING DEFENDANT'S ORAL RULE 50 MOTION FOR JUDGMENT AS A
MATTER OF LAW
AND
GRANTING AND DENYING IN PART DEFENDANT'S MOTION TO BAR
PLAINTIFF'S CLAIM FOR DAMAGES
AND
WITHDRAWING DEFENDANT'S MOTION FOR SANCTION**

This matter is before the Court on Defendant's Oral Rule 50 Motion for Judgment as a Matter of Law, made October 15, 2008, during the above-captioned jury trial. This matter is also before the Court on Defendant's Motion to Bar Plaintiff's Claims for Damages after July 12, 2006 [**Docket No. 86, filed Oct. 6, 2008**]. This matter is also before the Court on Defendant's Motion for Sanctions [**Docket No. 81, filed July 3, 2008**].

For the reasons stated in the record on October 16, 2008,

IT IS ORDERED that Defendant's Oral Rule 50 Motion for Judgment as a Matter of Law is **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion to Bar Plaintiff's Claim for Damages after July 12, 2006 [**Docket No. 86, filed Oct. 6, 2008**] is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED the Defendant's Motion for Sanctions [**Docket No. 81, filed July 3, 2008**] is **WITHDRAWN**.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: October 24, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 24, 2008, by electronic and/or ordinary mail.

S/Lisa Ware for William F. Lewis
Case Manager