

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JP MORGAN CHASE BANK, N.A.,

Plaintiff/Counter-Defendant,

v.

Case No. 08-13845  
Hon: AVERN COHN

LARRY WINGET and the LARRY WINGET  
LIVING TRUST,

Defendants/Counter-Plaintiffs.

**ORDER DENYING PLAINTIFF'S  
MOTION FOR SUMMARY JUDGMENT**

For the reasons stated on the record on December 07, 2011, Plaintiff, JP Morgan Chase Bank, NA's Motion For Summary Judgment On Count I And On Defendants' Counterclaim (Doc. 191) is DENIED. The reasons will be enlarged upon in a decision forthcoming.

Pending is Defendants'/Counter-Plaintiffs' Motion For Summary Judgment Pursuant To Fed.R.Civ.P. 56 (Doc. 186). Given that it appears issues of credibility are implicated in Defendants'/Counter-Plaintiffs' Statement Of Material Facts (Doc. 190), setting the case on a course to trial may be preferable to dealing with the motion. Defendants'/Counter-Plaintiffs' shall advise the Court by close of business on December 14, 2011, of their preference.

SO ORDERED.

Dated: December 8, 2011

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, December 8, 2011, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160