

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Great American Insurance Company,

Civil No. 08-520 (RHK/RLE)

Plaintiff,

ORDER

v.

Letourneau & Sons, Inc., et al.,

Defendants.

Having been advised by counsel for Defendants that the Corporate Defendants would not appear or respond to Plaintiff's Motion for Summary Judgment, **IT IS ORDERED:**

1. The February 19, 2009 hearing in Duluth, Minnesota is **CANCELED**;
2. Plaintiff's Motion for Summary Judgment will be deemed submitted without argument as of February 19, 2009; and
3. Plaintiff shall submit to the Court a proposed Order with respect to said Motion with copies to opposing counsel.

Dated: February 4, 2009

s/Richard H. Kyle _____

RICHARD H. KYLE

United States District Judge