

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

KEITH JONES

PLAINTIFF

v.

CIVIL ACTION NO. 1:15-cv-00185-GHD-DAS

FXI, INC. d/b/a Foamex Innovations
Operating Company

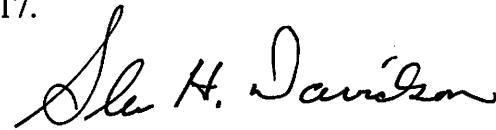
DEFENDANT

ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Pursuant to an opinion issued this day, the Court ORDERS that Defendant FXI, Inc.'s motion for summary judgment [44] shall be GRANTED IN PART AND DENIED IN PART, as follows:

- (1) The motion shall be GRANTED with respect to the claims for fraud, tortious interference with prospective advantage, and negligent supervision; those claims shall be DISMISSED.
- (2) However, the motion shall be DENIED with respect to the claims for intentional infliction of emotional distress and negligent training/failure to train; those claims shall PROCEED TO TRIAL.
- (3) Defendant is collaterally estopped from claiming that a forgery was committed.

SO ORDERED, this, the 15th day of May, 2017.



SENIOR U.S. DISTRICT JUDGE