

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TECHGUARD SECURITY, L.L.C.,)
)
 Plaintiff and Counterclaim)
 Defendant,)
)
 vs.)
)
 JAMES B. JOYCE,)
)
 Defendant and Counterclaim)
 Plaintiff.)

Case No. 4:08CV1489 AGF

ORDER

IT IS HEREBY ORDERED that Defendant’s motion (Doc. #108) for reconsideration of the Court’s Order of December 28, 2009, is **DENIED**. As set forth in the Court’s Order, Plaintiff’s motion for judgment on the pleadings is converted to a motion for summary judgment pursuant to Federal Rule of Civil Procedure 12(d). As further stated in the Order, the record related to these motions was previously developed in connection with the prior cross motions for summary judgment. To the extent that Defendant believes that issues of fact preclude summary judgment, Defendant may raise such issues in its response, which the Court has allowed Defendant 21 days to file.

_____)
)
Audrey G. Fleissig)
 AUDREY G. FLEISSIG)
 UNITED STATES MAGISTRATE JUDGE)

Dated this 29th day of December, 2009.