

**FILED**

**JAN 05 2010**

**PATRICK E. DUFFY, CLERK**

By DEPUTY CLERK, MISSOULA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

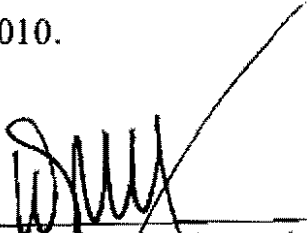
MARCEL ALEXIA FLOREA and IULIA	)	CV 08-52-M-DWM-JCL
FLOREA,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	ORDER
	)	
WERNER ENTERPRISES, INC., a	)	
Nebraska Corporation, et al.,	)	
	)	
Defendants.	)	
_____	)	

The Court having reviewed for clear error the Findings and Recommendations of United States Magistrate Judge Jeremiah C. Lynch (Doc. No. 277), and having found no clear error therein,

IT IS HEREBY ORDERED that Defendant Werner Enterprises, Inc.'s

motion for partial summary judgment (Doc. No. 139) is DENIED.

DATED this 5<sup>th</sup> day of January, 2010.



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Donald W. Molloy, District Judge  
United States District Court

