

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

BUFFALO HOGAN, INC.,

Plaintiff and Counter-Defendant,

vs.

No. 1:16-cv-00420-PJK-KBM

TERESA GREEN d/b/a Redpath d/b/a
Cherokee Visions,

Defendant,

and

SOUTHWESTERN TREASURES, INC.,

Defendant and Counter-Claimant.

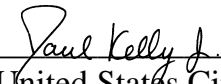
ORDER DENYING PARTIAL SUMMARY JUDGMENT

THIS MATTER comes on for consideration of Defendant Southwestern Treasures, Inc.'s Motion for Partial Summary Judgment filed June 8, 2017. Doc. 55. Southwestern Treasures seeks summary judgment on Count I (copyright infringement) of the Second Amended Complaint. Doc. 35 at 9. The court has considered the parties' submissions in accordance with Fed. R. Civ. P. 56(a) and the standards set forth in Celotex v. Catrett, 477 U.S. 317 (1986), and Anderson v. Liberty Lobby, Inc., 477 U.S. 242 (1986). Because genuine issues of material fact exist at this time, a trial will be required.

Southwestern Treasures has indicated that it anticipates moving to reopen discovery so as to depose Mark Gates and obtain any relevant documents he might have. Such a motion should be filed within the next fourteen days.

NOW, THEREFORE, IT IS ORDERED that Defendant Southwestern Treasures, Inc.'s Motion for Partial Summary Judgment filed June 8, 2017 (Doc. 55) is denied.

DATED this 26th day of July 2017, at Santa Fe, New Mexico.



United States Circuit Judge
Sitting by Designation