

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERTA A. TROMBLEY, Individually and
as Administratrix of the Estate of Timothy N.
Trombley, Deceased,

Plaintiff,

-v-

5:06-CV-1174-DNH-DEP

ALTEC INDUSTRIES, INC.; NIAGARA MOHAWK
POWER CORPORATION; and NATIONAL GRID
USA SERVICE COMPANY, INC.,

Defendants,

ALTEC INDUSTRIES, INC.,

Defendant/Third-Party Plaintiff,

-v-

PAR ELECTRICAL CONTRACTORS, INC.,

Third-Party Defendant.

DAVID N. HURD
United States District Judge

ORDER

Pursuant to the oral decision of the Court, entered into the record after hearing oral
argument on April 24, 2009, in Utica, New York, it is hereby

ORDERED that

(1) Plaintiff's motion for summary judgment is DENIED;

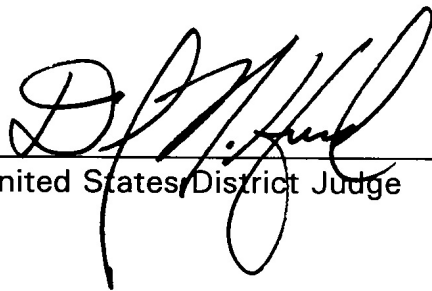
(2) Niagara Mohawk's motion for partial summary judgment is GRANTED;

(3) Plaintiff's complaint against National Grid USA, National Grid USA Service Company, Inc., and National Grid Transco, p.l.c. is DISMISSED;

(4) Altec's motion to preclude the expert testimony of Dr. Derby and Dr. Pikul is DENIED; and

(5) Altec's motion for summary judgment against plaintiff and Par Electrical Contractors, Inc. is DENIED.

IT IS SO ORDERED.



United States District Judge

Dated: April 24, 2009
Utica, New York.