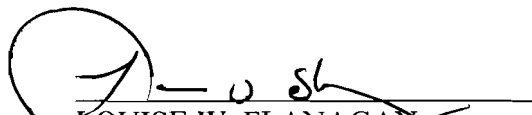




Turning to the other motion now pending, defendant is correct that the subject matter of same raises issues more properly reserved for decision in the context of trial. The court DENIES the motion (DE# 29) without prejudice to its renewal by plaintiff during trial.

SO ORDERED, this the 25<sup>th</sup> day of February, 2011.

  
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LOUISE W. FLANAGAN  
Chief United States District Judge