

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

GREAT WEST CASUALTY CO.,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:07-CV-1002
v.	:	
	:	JUDGE ALGENON L. MARBLEY
WAYNE FLANDRICH DBA J&W	:	Magistrate Judge Abel
TRANSPORT, et al.	:	
	:	
Defendants.	:	

**ORDER**

This matter comes before the Court on Third Party Defendants OOIDA Risk Retention Group, Inc.’s, Commercial Truck Claims Management’s, and Owner-Operator Services, Inc.’s (collectively referred to as "OOIDA") Motion for Summary Judgment on Defendant/Third Party Plaintiff Wayne Flandrich dba J&W Transport’s (“J&W Transport”) Bad Faith Claim (doc. no. 51). OOIDA’s Motion was filed on December 29, 2008. Pursuant to this Court’s Preliminary Pretrial Order (doc. no. 16), the deadline for filing case-dispositive motions was September 19, 2008. Therefore, OOIDA’s Motion was filed 101 days after the deadline for dispositive motions. For the foregoing reason, OOIDA’s Motion for Summary Judgment on J&W Transport’s Bad Faith Claim is therefore **DENIED**. This Order is without any disposition as to the underlying issues raised by OOIDA’s Motion.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**Dated: January 7, 2009**