

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

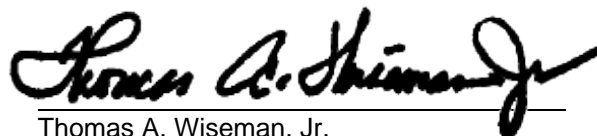
THOMPSON POWER CORPORATION, a)	
Tennessee Corporation and a division of)	
Thompson Machinery Commerce Corporation,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:09-cv-564
)	
MILLENNIUM TILES, LLC, an Illinois LLC, and)	Judge Thomas A. Wiseman, Jr.
WALTER HAUK, Individually,)	
)	
Defendants.)	

ORDER

Plaintiff Thompson Power Corporation (“Thompson”) filed this action against defendants Millennium Tiles, LLC (“Millennium”) and Walter Hauk (“Hauk”) (collectively, “Defendants”) alleging that the stainless steel roof tiles manufactured by Defendants and purchased by Thompson for installation on a house being constructed in the Bahamas failed shortly after their installation. Thompson seeks damages for breach of contract against Millennium, and for negligent and intentional misrepresentation and violation of the Tennessee Consumer Protection Act (“TCPA”) against both Defendants.

Defendants have now filed their motion for summary judgment (Doc. No. 18), seeking judgment in their favor as a matter of law and dismissal of all claims against them. As set forth in the accompanying Memorandum Opinion, however, the Court finds that material issues of disputed fact preclude summary judgment as to any of the claims asserted in this action. Defendants’ motion is therefore **DENIED**. The matter remains set for a jury trial to begin on Tuesday, January 25, 2011.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.
Senior U.S. District Judge