

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

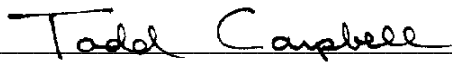
MATTHEW GILMER)
)
v.) NO. 3-10-0969
) JUDGE CAMPBELL
T.R. FRANKLIN, INC., et al.)

ORDER

Pending before the Court are a Motion for Summary Judgment (Docket No. 79) filed by Defendant NDG Properties, Inc. and a Motion for Summary Judgment (Docket No. 84) filed by Defendants T.R. Franklin, Inc. d/b/a Tin Roof 2, Sheer, McPhee and Romine.

For the reasons stated in the accompanying Memorandum, the Motion for Summary Judgment (Docket No. 79) filed by Defendant NDG Properties, Inc. is denied. The Motion for Summary Judgment (Docket No. 84) filed by Defendants T.R. Franklin, Inc. d/b/a Tin Roof 2, Sheer, McPhee and Romine is granted in part and denied in part. Plaintiff's claim for negligent hiring and retention against the Tin Roof Defendants and Plaintiff's claim against the individual Defendants are DISMISSED.

IT IS SO ORDERED.



 TODD J. CAMPBELL
 UNITED STATES DISTRICT JUDGE