

It is, therefore, **ORDERED** that defendants' Motion for Summary Judgment [Doc. #40] is **DENIED**, and this case will proceed to trial in April 2013.

So **ORDERED** and **SIGNED** this **24** day of **January, 2013**.

A handwritten signature in black ink, appearing to read "Ron Clark". The signature is written in a cursive, flowing style.

Ron Clark, United States District Judge