

IN THE UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF TEXAS  
 GALVESTON DIVISION

NATIONWIDE PROPERTY & CASUALTY	§	
INSURANCE COMPANY	§	
	§	
V.	§	CIVIL ACTION NO. G-11-010
	§	
TEMPLO APOSENTO ALTO	§	
ASSEMBLY OF GOD	§	

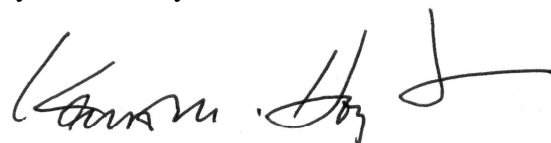
**OPINION AND ORDER**

Fearing that the Court’s Final Judgment “could be misconstrued as a bar to Templo’s claims against Nationwide” Defendant, Templo Aposento Alto Assembly of God, filed a Motion to Alter or Amend Judgment “to clarify that Templo’s claims against Nationwide are not dismissed with prejudice.”

However, in its Order Adopting the Report and Recommendation of the Magistrate Judge, this Court struck Templo’s counter-claim and dismissed only Nationwide’s declaratory judgment action. Accordingly, there is nothing the Court has done that could be “misconstrued.”

It is, therefore, the **ORDER** of this Court that “Templo’s Motion to Alter or Amend Judgment Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure” (Instrument no. 30) is **DENIED**.

SIGNED at Houston, Texas this 16<sup>th</sup> day of February, 2012.



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 Kenneth M. Hoyt  
 United States District Judge