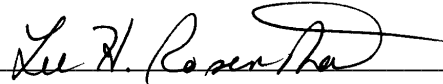




defendant's motion for summary judgment and denies the plaintiff's motion. Final judgment is entered by separate order

SIGNED on September 22, 2008, at Houston, Texas.

A handwritten signature in black ink, appearing to read "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal  
United States District Judge