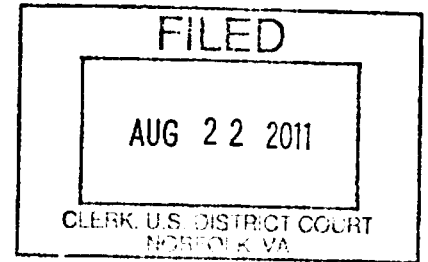


UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Newport News Division



SCHOOL BOARD OF THE  
CITY OF NEWPORT NEWS,

Plaintiff,

v.

ACTION NO. 4:11cv79

T.R. DRISCOLL, INC.,

Defendant,

AND

GENERAL CASUALTY  
INSURANCE COMPANY,

Movant.

ORDER

This matter comes before the court on the Motion to Intervene (ECF #12) and Motion to Enjoin Destructive Testing and to Briefly Continue Trial in This Matter (ECF #14), filed by the movant on July 12, 2011. The matter was referred to a United States Magistrate Judge by Order of July 15, 2011, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the motions.

The United States Magistrate Judge's Report and Recommendation (ECF #29) was filed on July 29, 2011. The magistrate judge recommended granting in part and denying in part movant's motions

