

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

CARNELL CONSTRUCTION CORP., )  
 )  
 Plaintiff/Counterclaim Defendant, )  
 )  
 v. )  
 )  
 DANVILLE REDEVELOPMENT & )  
 HOUSING AUTHORITY, )  
 )  
 Defendant/Counterclaim Plaintiff )  
 )  
 v. )  
 )  
 BLAINE SQUARE, LLC, )  
 )  
 Defendant/Counterclaim Plaintiff )  
 )  
 v. )  
 )  
 INTERNATIONAL FIDELITY )  
 INSURANCE COMPANY, )  
 )  
 Counterclaim Defendant. )

Case No. 4:10CV00007

**ORDER**

By: Jackson L. Kiser  
Senior United States District Judge

Before me is Defendant/Counterclaim Plaintiff Danville Redevelopment & Housing Authority's and Defendant/Counterclaim Plaintiff Blaine Square, LLC's Motion for Judgment as a Matter of Law or, in the Alternative, Motion for a New Trial (ECF No. 208) pursuant to Federal Rules of Civil Procedure 50(b) and 59(a)(1)(A). The parties filed supporting and opposing briefs to the motion and I heard oral argument on April 12, 2011. The matter is now ripe for decision. For the reasons stated in the accompanying Memorandum Opinion, I will **DENY** Defendants' Motion for Judgment as a Matter of Law and **GRANT** Defendants' Motion for a New Trial. All other pending motions are **OVERRULED AS MOOT**.

The Clerk is directed to send a copy of the Order and the accompanying Memorandum Opinion to all counsel of record.

Entered this 2<sup>nd</sup> day of May, 2011.

s/Jackson L. Kiser  
Senior United States District Judge