

FILED  
JUN 21 2012

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

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

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

Civil Action No. 4:10CV00007

**ORDER**

By: Hon. Glen E. Conrad  
Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is now

**ORDERED**

as follows:

1. The motion for judgment as a matter of law filed by International Fidelity Insurance Company is **DENIED**;
2. The motion for non-bifurcated trial filed by Carnell Construction Corporation ("Carnell") is **DENIED**;

3. Carnell's motion to quash subpoenas issued to Lester and America Scales is **DENIED**;
4. Carnell's motion to compel the production of documents is **DENIED**;
5. Danville Redevelopment and Housing Authority's ("DRHA's") motion to quash the subpoena duces tecum issued to Robert J. Owens is **GRANTED**;
6. DRHA's motion to quash the trial subpoena issued to Geary Davis is **DENIED AS MOOT**; and
7. DRHA's objection to Carnell's inclusion of W. Huntington Byrnes on its witness list is **SUSTAINED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to all counsel of record.

ENTER: This 20<sup>th</sup> day of June, 2012.



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Chief United States District Judge