

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

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

FEB 10 2011

BY: JULIA W. ALEY, CLERK
DEPUTY CLERK

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| RICHARD L. CAUVEL, II, v. SCHWAN'S HOME SERVICE, INC., | <i>Plaintiff,</i> <i>Defendant.</i> |
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CASE No. 6:10-cv-00012

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court upon Plaintiff's Motion for Partial Summary Judgment, filed on January 10, 2011 (docket no. 41), and Defendant's Motion for Summary Judgment, filed on the same day (docket no. 43).

For the reasons set forth in the accompanying Memorandum Opinion, Defendant's Motion for Summary Judgment will be and hereby is GRANTED, and Plaintiff's Motion for Partial Summary Judgment will be and hereby is DENIED as moot. This case shall be stricken from the Court's active docket.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

It is so ORDERED.

Entered this 10th day of February, 2011.

Norman K Moon
NORMAN K. MOON
UNITED STATES DISTRICT JUDGE