

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

ELDERBERRY OF WEBER CITY, LLC,
Plaintiff,

v.

LIVING CENTERS – SOUTHEAST, INC., ET AL.
Defendants.

CASE NO. 6:12-cv-00052

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court upon motions for summary judgment filed by Mariner Health Care, Inc. (docket no. 76); ContinuumCare of Weber City, LLC (docket no. 78); FMSC Weber City Operating Company, LLC (docket no. 83); and a motion for partial summary judgment filed by Elderberry of Weber City, LLC (docket no. 80). For the reasons set forth in the accompanying memorandum opinion, each of these motions is hereby DENIED.

The Clerk of the Court is hereby directed to send a certified copy of this order and the accompanying memorandum opinion to all counsel of record.

It is so ORDERED.

Entered this 24th day of July, 2013.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE