

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

JAMES PENN,
Plaintiff,

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Civil Action No. 7:15-cv-00039

v.

ORDER

H. BREWER,
Defendant.

By: Hon. Michael F. Urbanski
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

that Brewer's motion for summary judgment is **DENIED**.

The Clerk shall set this matter for a bench trial in the Big Stone Gap Division and send copies of this Order and the accompanying Memorandum Opinion to the parties.

Entered: October 29, 2015

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge