

1 At the conclusion of the February 7, 2017 hearing, the Court ruled orally that the motion
2 was denied in part and granted in part. As to the three issues raised in the motion for summary
3 judgment (Dkt. 55), the Court's ruling is HEREBY MEMORIALIZED as follows:

4 (1) Prima facie case of negligence:

5 The motion is DENIED.

6 (2) Allegations of negligent hiring, retention, and supervision:

7 The motion is GRANTED. These allegations are STRICKEN.

8 (3) Ultra-hazardous activity and strict liability:

9 The motion is DENIED.

10 The Motion for Joinder (Dkt. 60) is DENIED as moot.

11 IT IS SO ORDERED.

12 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
13 to any party appearing *pro se* at said party's last known address.

14 Dated this 7th day of February, 2017.

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17 ROBERT J. BRYAN
United States District Judge