

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

TEKNOR APEX COMPANY
Plaintiff

v.

C.A. No. 07-194T

PASSPORT CARPETS, INC.
Defendant and Third-Party Plaintiff

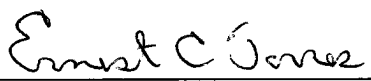
v.

PETER LARKIN, ET AL
Third-Party Defendants

ORDER DENYING THIRD-PARTY DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Third-Party Defendant Peter Larkin's motion for summary judgment against Defendant/Third-Party Plaintiff Passport Carpets, Inc. is denied without prejudice. The motion may be renewed if and when the Court permits after a conference is held with the parties. See attached paragraph 7 of this Court's standard pretrial order.

IT IS SO ORDERED:



Ernest C. Torres
Sr. U.S. District Judge
Date: 9/26/07

7. Prerequisites to Filing Motions for Summary Judgment.

No motion for summary judgment may be filed until counsel proposing to file such motion has, first, conferred with the Court and other counsel for the purpose of discussing the need for and the utility of the proposed motion. The matters that counsel should be prepared to address at that conference shall include: the nature of the proposed motion; the "undisputed" facts upon which it is based; how many of the counts and/or issues the motion would resolve; whether and to what extent the non-moving party contests the motion and the "undisputed" facts asserted and whether the matters in question can be resolved more simply, less expensively and more expeditiously through a trial. Prior to requesting such a conference, counsel for the proponent shall inform opposing counsel of the nature of the proposed motion and the "undisputed" facts upon which it is based. Counsel for the opponents shall inform counsel for the proponent whether, and to what extent, they oppose the motion and dispute the "facts" upon which the motion is based. Such discussion shall be initiated by counsel that proposes to file the motion who, by requesting a conference, will certify that he or she has complied with the provisions of this paragraph.