

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**PIERCE ASSOCIATES, INC.,**

**Plaintiff,**

**v.**

**ST. PAUL MERCURY INSURANCE CO.,**

**Defendant.**

**Civil Action No. 04-1906 (JDB)**

**ORDER**

Upon consideration of the parties' cross-motions for partial summary judgment and the entire record herein, and for the reasons stated in the memorandum opinion issued on this date, it is this 13th day of March, 2006, hereby

**ORDERED** that [22] the motion for partial summary judgment by defendant St. Paul Mercury Insurance Co. ("St. Paul") is **DENIED**; it is further

**ORDERED** that [24] the motion for partial summary judgment by plaintiff Pierce Associates, Inc. ("Pierce"), is **GRANTED**; it is further

**ORDERED** that judgment is entered in favor of Pierce on the issue of St. Paul's liability to Pierce for breach of contract; and it is further

**ORDERED** that the parties shall appear for a status conference with the Court at 9:00 a.m. on April 18, 2006.

/s/ John D. Bates  
JOHN D. BATES  
United States District Judge

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