

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE: KATRINA CANAL BREACHES  
CONSOLIDATED LITIGATION

CIVIL ACTION  
NUMBER: 05-4182 "K"(2)  
JUDGE DUVAL  
MAG. WILKINSON

PERTAINS TO: *Robinson*  
(No. 06-2268)

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Rule 56(a), Fed. R. Civ. P., the Plaintiffs move for partial summary judgment dismissing the Defendant United States' third and fourth affirmative defenses based upon 28 U.S.C. §2680(a). In support of this motion, the Court is respectfully referred to the Plaintiffs' Memorandum of Law in support of this motion, the exhibits submitted herewith, and the entire record.

Dated: November 20, 2008

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, Pierce O'Donnell, hereby certify that on November 20, 2008, I caused to be served **PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**, upon Defendants' counsel, Robin D. Smith, George Carter, Keith Liddle, and Richard Stone by ECF and email at robin.doyle.smith@usdoj.gov; george.carter@usdoj.gov, keith.liddle@usdoj.gov, and richard.stone@usdoj.gov.

/s/ Pierce O'Donnell