

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**CUMBERLAND TRUST AND)
INVESTMENT COMPANY,)
as next friend and trustee of THE GILBERTO)
KELLY LOPEZ IRREVOCABLE TRUST,)**

Plaintiff,

v.

GENESIS LEARNING CENTERS,)

Defendant.

**Case No. 3:07-0799
Judge Echols**

ORDER

For the reasons set forth in the Memorandum issued contemporaneously herewith, the Court hereby enters the following rulings:

(1) Genesis' Motion for Costs (Docket Entry No. 556) is hereby DENIED, but said denial is WITHOUT PREJUDICE to Genesis filing a bill of costs which complies with Local Rule 54.01 within twenty days of entry of this Order;

(2) Genesis' Motion for Attorneys' Fees (Docket Entry No. 559) is hereby DENIED;

(3) Plaintiff's Motion for New Trial (Docket Entry No. 573) is hereby DENIED; and

(4) Plaintiff's Motion for Oral Argument (Docket Entry No. 574) is hereby DENIED.

It is so ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE