

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

THOMAS NEELY,)	
)	
Plaintiff,)	
)	
v.)	No. 3:05-CV-304
)	(Guyton)
FOX OF OAK RIDGE, INC. and)	
BENJAMIN H. CURD,)	
)	
Defendant.)	

**(SAMPLE) MOTION OF PLAINTIFF, THOMAS NEELY. FOR
SUMMARY ADJUDICATION ON THE ISSUE OF VICARIOUS LIABILITY**

The Plaintiff, Thomas Neely, by and through counsel, respectfully moves this Honorable Court for an Order that Defendant Fox of Oak Ridge, Inc. shall be vicariously liable for any negligence of Defendant Benjamin Curd relating to the accident that is the subject of this lawsuit. This motion is supported by the Plaintiff's Brief in Support of Motion for Summary Adjudication, the Declaration of Ethan Fogle and attached exhibits, and the Proposed Order, served and filed herewith.

Respectfully submitted this 15th day of March, 2006.

s\Michael C. Inman
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CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2006 a copy of the foregoing Motion for Summary Adjudication on the Issue of Vicarious Liability was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s\Michael C. Inman
Michael C. Inman,
Attorney for Plaintiff