



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
 BIRMINGHAM DIVISION**

ALABAMA POWER COMPANY,)
 Plaintiff,)
)
 V.) Case No.: CV-2012-001381.00
)
 PINPOINT LOCATING INC,)
 Defendant.)

ORDER

This matter came before the Court on Plaintiff's Motion for Partial Summary Judgment. The Court having heard and considered oral arguments, motions, briefs and other evidentiary exhibits by the parties, both in support of and in opposition to said motion, the Court finds the motion to be well taken.

Accordingly, judgment is entered as to negligent liability as there is no genuine issue of material fact upon which relief can be granted. Alabama Power Company is entitled to summary judgment as a matter of law.

This case remains set for trial during the week of February 10, 2014.

DONE this 21st day of January, 2014.

/s/ CAROLE C. SMITHERMAN
CIRCUIT JUDGE