

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

B A PROPERTIES, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 AETNA CASUALTY & SURETY )  
 COMPANY, a Connecticut Stock Insurance )  
 Company, UNITED STATES FIRE )  
 INSURANCE COMPANY, a New York )  
 Stock Insurance Company, and ZURICH )  
 INSURANCE COMPANY, a foreign stock )  
 corporation, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

CIVIL NO. 1997/0006

**ORDER**

THIS MATTER came before the Honorable Thomas K. Moore on Defendants' Motion for Partial Summary Judgment and Plaintiff's Motion for Summary Judgment, or/in the Alternative for Summary Adjudication of Issues. Judge Moore entered a Memorandum Opinion and Order on such Motions. Subsequent to the entry of the Memorandum Opinion and Order, Judge Moore recused himself from this case. He then entered an Order that vacated his Order on such Motions, but did not refer to the Memorandum Opinion. The case has now been transferred to the undersigned.

After consultation with Judge Moore and with his consent, it is hereby

**ORDERED** that the Memorandum Opinion, dated April 24, 2002, is **VACATED**.

ENTER:

DATE: July 25, 2003

\_\_\_\_\_  
Honorable Raymond L. Finch  
Chief Judge

A T T E S T  
Wilfredo F. Morales

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Deputy Clerk

cc: Magistrate Barnard  
David M. Roberts, Esq.  
Richard R. Knoepfel, Esq.  
John A. Sopuch, III, Esq.  
H. Stuart Kinder, Esq.