

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
AT MARTINSBURG**

**MELVYN D. SPURGEON,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 3:05CV100**

**CERTAIN UNDERWRITERS AT  
LLOYD'S, LONDON,**

**Defendant.**

**ORDER DENYING UNDERWRITERS' MOTION  
TO AMEND AND CERTIFY ORDER FOR  
INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292(b)**

On this day, the above-styled matter came before the Court for consideration of the Underwriters' Motion to Amend and Certify Order for Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) (Doc. 72).

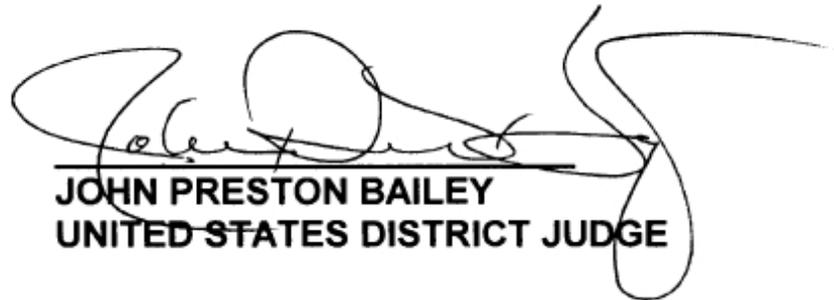
Having reviewed the motion and the argument stated therein, this Court will deny the same for the reasons stated in its Order Granting in Part and Denying in Part Underwriters' Motion to Amend or Alter Judgment or, in the Alternative, for Reconsideration (Doc. 67) and in its Order Granting in Part and Denying in Part Motion for Summary Judgment (Doc. 59).

Accordingly, Underwriters' Motion to Amend and Certify Order for Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) (Doc. 72) is hereby **DENIED**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

**DATED:** March 4, 2008.



**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**