

genuine issue exists.¹ See D. Kan. Rule 56.1(a). Moreover, plaintiff has not shown that there is no genuine dispute as to any material fact and that he is entitled to judgment as a matter of law. See Fed. R. Civ. P. 56(a).

On this record, plaintiff's motion for judgment is overruled.

IT IS THEREFORE ORDERED that Plaintiff's Motion For Monetary Judgment (Doc. #31) filed September 20, 2010 be and hereby is **OVERRULED**.

Dated this 2nd day of December, 2010 at Kansas City, Kansas.

s/ Kathryn H. Vratil
Kathryn H. Vratil
United States District Judge

¹ Pursuant to local rule, the facts must be numbered and refer with particularity as to those portions of the record upon which plaintiff relies. See D. Kan. Rule 56.1(a).