

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE OCA, INC. SECURITIES
AND DERIVATIVE LITIGATION

CIVIL ACTION

NO: 05-2165

SECTION: R(3)

ORDER AND REASONS

Before the Court is a motion to intervene and enforce consent degree by Patrick J. Simpson, Daniel Anthony Weymouth, Jonathan Lee Riches, Isony Akpan, Billy Driggers, Major Spaulding, George Barbour, and Jimmy O'Neal Brown ("Movants").¹ Movants state that they are inmates at the Federal Medical Center ("FMC") in Lexington, Kentucky. Movants claim that they are being abused by certain individuals at FMC. These allegations are wholly unrelated to this class action, which was brought on behalf of all persons who purchased publicly traded common stock or sold put options of OCA, Inc. ("OCA") during a particular time

¹ R. Doc. 371.

period. Movants do not contend that they are class members, and their assertion that the residential drug abuse program in which they participate is "financed and supported by OCA" is unsupported and irrelevant. Under Fed. R. Civ. P. 24(b), the Court may permit anyone to intervene who "has a claim or defense that shares with the main action a common question of law or fact." Movants have made no such showing. Movants also move to enforce a purported consent decree, but no consent decree has been entered in this case. The motion is therefore frivolous. If Movants persist in attempting to assert wholly unrelated claims in this matter, appropriate sanctions will be imposed against them.

For the foregoing reasons, Movants' motion is DENIED.

New Orleans, Louisiana, this 15th day of September, 2010.

A handwritten signature in black ink that reads "Sarah Vance". The signature is written in a cursive style and is positioned above a horizontal line.

SARAH S. VANCE
UNITED STATES DISTRICT JUDGE