

## UNITED STATES DISTRICT COURT

## MIDDLE DISTRICT OF LOUISIANA

TRIANGLE METALS, INC., ET AL

CIVIL ACTION

VERSUS

NO. 08-205-FJP-CN

CITY OF PORT ALLEN, ET AL

O P I N I O N

After independently reviewing the entire record in this case and for reasons set forth in the Magistrate Judge's Report to which no objection was filed:

IT IS ORDERED that defendant Elevated Tank Applicators, Inc. shall be dismissed from this action since defendant, Elevated Tank Applicators, Inc. was never served in this matter and plaintiff's counsel has informed the Court that American Contractors Indemnity Company is surety for Elevated Tank Applicators, Inc.

Baton Rouge, Louisiana, August 12, 2009.



FRANK J. POLOZOLA  
MIDDLE DISTRICT OF LOUISIANA