

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

July 10, 2009

No. 08-30714

Charles R. Fulbruge III
Clerk

TOM HEANEY

Plaintiff-Appellant

v.

PRUDENTIAL REAL ESTATE AFFILIATES, INC; PRUDENTIAL
INSURANCE COMPANY OF AMERICA; GBS PROPERTIES LLC, doing
business as Prudential Gardner Realtors

Defendants-Appellees

Appeal from the United States District Court
for the Eastern District of Louisiana
No. 2:05-CV-820

Before HIGGINBOTHAM, GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

The judgment of the district court is AFFIRMED for essentially the reasons provided in its order granting summary judgment.¹ See 5TH CIR. R. 47.6.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

¹ We are satisfied that the plaintiff exhausted his administrative remedies under the Sarbanes Oxley Act and thus that the district court had jurisdiction over the matter. See *Heaney v. GBS Properties LLC d/b/a Prudential Gardner Real.*, ARB Case No. 05-039, 2005 WL 4888985 (ARB May 19, 2005).