

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**F I L E D**

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

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

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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.<sup>1</sup> See 5TH CIR. R. 47.6.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

<sup>1</sup> 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).