Montize et al v. Pittman Properties et al Doc. 102

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

ARCELIA MONTIZE, EVENCIO GARCIA
and AGUSTIN GARCIA GONZALEZ PLAINTIFFS

V. Case No. 07-CV-1073

PITTMAN PROPERTIES LIMITED PARTNERSHIP #1;
D&M PITTMAN, INCORPORATED;
DAWOOD AYDANI; MICKEY H. PITTMAN and
PITTMAN NURSERY CORPORATION DEFENDANTS

ORDER

Before the Court is a Motion for Partial Judgment on the Pleadings filed by Separate Defendant Pittman Nursery Corporation. (Doc. 69). Plaintiffs have not responded, and the time for response has passed.[1] For reasons discussed in the Memorandum Opinion of even date, Defendants' Motion for Judgment on the Pleadings is **GRANTED**. Plaintiffs' causes of action against all Defendants for violations of RICO and AWPA are dismissed. Plaintiffs' claims regarding negligent supervision and *respondeat superior* liability are dismissed. To the extent that Plaintiffs allege any independent causes of action for conversion, breach of good faith and fair dealing, lost business opportunities, and retaliation, these claims are dismissed.

IT IS SO ORDERED, this 16th day of March, 2010.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge

[1]Plaintiffs were given until June 16, 2009, to file their response. (Doc. 75).

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