

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

NATVERLAL PATEL; and  
JASWANTI PATEL

PLAINTIFFS

v.

Case No. 4:10-CV-04195

VIKRAM TRIVEDI; and NEW YORK  
LIFE INSURANCE COMPANY

DEFENDANTS

**JUDGMENT**

For the reasons set forth in the Court's Order filed contemporaneously herewith, IT IS HEREBY ORDERED AND ADJUDGED that Defendant Trivedi's first Motion to Dismiss (Doc. 14) be DISMISSED AS MOOT.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant New York Life's Motion to Dismiss (Doc. 19) be GRANTED and Defendant Trivedi's second Motion to Dismiss (Doc. 21) be GRANTED. This matter is accordingly DISMISSED WITH PREJUDICE for failure to state a claim. Any motion for attorneys' fees should be made in accordance with Federal Rule of Civil Procedure 54(d). If no such motion is timely filed, the parties are instructed to bear their own fees and costs.

IT IS SO ORDERED AND ADJUDGED this 7th day of May, 2012.

*/s/ P. K. Holmes, III*

P.K. HOLMES, III  
CHIEF U.S. DISTRICT JUDGE