Cottrell v. Duke et al Doc. 139

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

IN RE WAL-MART STORES, INC. SHAREHOLDER DERIVATIVE LITIGATION	)	Master Docket No. 4:12-cv-4041
This Document Relates to: ALL ACTIONS	)	

JUDGMENT

Before the Court is a Motion to Dismiss Case for Failure to Establish Demand Futility filed by Nominal Defendant Wal-Mart and the Individual Defendants.[1] ECF No. 109. Plaintiffs have filed a response. ECF No. 114. Defendants[2] have filed a reply. ECF No. 115. The Court has reviewed the memoranda and various supplements submitted by the parties. ECF Nos. 110, 116, 119, 121, 122, 124, 125, 127, 128, 129, 131, 132, 133, 134, 135, and 136. The matter is ripe for the Court's consideration. For the reasons set forth in the Amended Order (ECF No. 138) entered April 3, 2015, the Court finds that Defendants' Motion to Dismiss Case for Failure to Establish Demand Futility (ECF No. 109) should be and hereby is **GRANTED**. Accordingly, Plaintiffs' claims against Defendants are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED, this 7th day of April, 2015.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge

[1] The term "Individual Defendants" refers to all persons named as defendants in this action.

[2] The "Defendants" collectively refers to Nominal Defendant Wal-Mart and the Individual Defendants.

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