

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

SHANE REPH, ET AL

CIVIL ACTION

VERSUS

NO: 07-7119
Ref. All Cases

GHRON HUBBARD, ET AL

SECTION: "J" (3)

ORDER

Before the Court is defendant Southland Idealease, LLC's **Motion to Certify Order as a Final Judgment Under Federal Rules of Civil Procedure Rule 54(b) (Rec. Doc. 121)**.

In connection with Federal Rule of Civil Procedure 54(b), the Fifth Circuit has stated:


Rule 54(b) of the Federal Rules of Civil Procedure provides that "the court may direct entry of a final judgment as to one or more but fewer than all of the claims ... only upon an express determination that there is no just reason for delay and upon express direction for the entry of judgment." ... One of the primary policies behind requiring a justification for Rule 54(b) certification is to avoid piecemeal appeals. A district court should grant certification only when there exists some danger of hardship or injustice through delay which would be alleviated by immediate appeal; it should not be entered routinely as a courtesy to counsel.

PYCA Indus., Inc. v. Harrison County Waste Water Mgmt. Dist., 81 F.3d 1412, 1421 (5th Cir. 1996)(citations omitted)

The Court granted Southland Idealease, LLC's ("Southland") Motion for Partial Summary Judgment on March 10, 2009, dismissing all claims against Southland with prejudice. Southland now contends that the Court should certify its order as final because all claims against it have been dismissed and all remaining claims involve different parties. However, Southland has provided no support for its conclusion that there is no just reason for delay and has not articulated any danger of hardship or injustice that would be alleviated through the entry of a final judgment pursuant to Rule 54(b). Accordingly,

IT IS ORDERED that defendant Southland Idealease, LLC's **Motion to Certify Order as a Final Judgment Under Federal Rules of Civil Procedure Rule 54(b) (Rec. Doc. 121)** is hereby **DENIED**.

New Orleans, Louisiana this 27th day of April, 2009.



CARL J. BARBIER
UNITED STATES DISTRICT JUDGE