

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

RICHARD DUBUISSON

CIVIL ACTION

VERSUS

NO. 17-4883

INDUSTRIAL ECONOMICS, INC. and  
RYAN TOLBERT

SECTION "N"

**ORDER AND REASONS**

Having carefully reviewed the parties' submissions, including "Plaintiff's First Supplemental and Amending Complaint" (Rec. Doc. 21), **IT IS ORDERED** that "Defendant Industrial Economics Incorporated's Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted" (Rec. Doc. 10) is **DENIED** as **MOOT**. Nevertheless, considering the assertions made in the motion, in the context of the background of this and the related civil action, number 16-3640, the Court finds the allegations of Plaintiff's "First Supplemental and Amending Complaint" (Rec. Doc. 21) to be overly conclusory and lacking factual information sufficient to support a reasonable inference of negligence. Accordingly, **IT IS ORDERED** that on or before Wednesday, January 24, 2018, Plaintiff shall file a second supplemental and amending complaint that rectifies the pleading shortcomings identified herein.

New Orleans, Louisiana, this 12th day of January 2018.



**KURT D. ENGELHARDT**  
United States District Judge