

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RAYMOND E. HECK, DOUG HAMLEY,
CHARLES MOORE, JOSEPH MCKEARN,
ALLEN RICHARDSON

VERSUS

KENNETH K. BUHLER AND
WAYNE TRICHE

CIVIL ACTION

NO. 07-21-C


RULING

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Christine Noland dated March 3, 2010. Defendant, Wayne Triche, has filed an objection which the court has considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, the Motion for Summary Judgment is granted in part, in that plaintiffs Section 29(b) rescission claim and breach of contract claim against Wayne Triche are dismissed with prejudice and denied in part in that plaintiffs claims against Wayne Triche pursuant to §10b and Rule 10b-5 and pursuant to La. R.S. 51:712A(2) are not dismissed.

Baton Rouge, Louisiana, March 29, 2010.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA