

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

EDWARD COOK, ET AL.

VERSUS

WAL-MART STORES, INC., ET AL.

CIVIL ACTION

NO. 08-722-JJB

RULING

This matter is before the Court on a Rule 54(b) motion (doc. 179) to enter final judgment, filed by defendants Firestone Building Products Company, LLC, John J. Campbell, Inc., and Partner's Commercial Roofing, Inc. The motion is unopposed. Oral argument is not necessary.

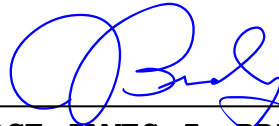
The court granted summary judgment motions in favor of Firestone, John J. Campbell, Inc. and Partner's on December 2, 2010, dismissing plaintiffs' claims against these defendants. The defendants now seek to have final judgment entered in their favor.

Under rule 54(b), when an action presents more than one claim for relief or when multiple parties are involved, the court may direct entry of final judgment as to one or more claims or parties, if the court determines there is no just reason for delaying an appeal. The discretion of the court regarding whether to direct entry of judgment under rule 54(b) is to be exercised "in the interest of sound judicial administration." *Curtiss-Wright Corp. v. Gen. Electric*, 446 U.S. 1, 8 (1980).

In light of the strong federal policy of avoiding piecemeal appeals, the court declines to enter rule 54(b) judgment in this matter. Plaintiffs' claims against these defendants are factually intertwined with plaintiffs' underlying lawsuit against Wal-Mart. Allowance for an appeal at this stage and another appeal when the case is finally resolved would be an inefficient use of judicial resources.

Accordingly, defendants' motion (doc. 179) to enter final judgment is HEREBY DENIED.

Signed in Baton Rouge, Louisiana, on January 21, 2011.



**JUDGE JAMES J. BRADY
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**