

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SOUTHERN UNIVERSITY SYSTEM
FOUNDATION

VERSUS

ANDRE HENDERSON, ET AL.

CIVIL ACTION

NO. 14-288-JJB-RLB

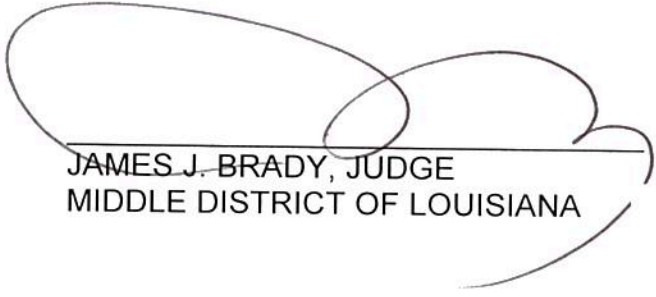
RULING

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 Richard L. Bourgeois, Jr. dated June 5, 2015 (doc. no. 81) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, defendant Gary Shelton's third-party claims asserted against third party defendants Delta Airlines, Cover girl, and L'eggs is DISMISSED, without prejudice, under Local Rule 41(b)(1)(A) for failure to prosecute where no service has been made within 120 days after filing of the complaint.

Further, defendant Gary Shelton's third-party claims asserted against third party defendants BellSouth, AT&T, and Coca-Cola are DISMISSED, without prejudice, under Local Rule 41(b)(1)(B) for failure to prosecute in light of his failure to move for entry of default within 60 days after service of the summons and complaint.

Baton Rouge, Louisiana, this 24th day of June, 2015.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA